BIOLOGICAL RESOURCES ASSESSMENT

COMMERCIAL PROJECT AT HOSKING AVENUE AND SOUTH H STREET

BAKERSFIELD, CALIFORNIA

LSA

February 2019

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Prepared for:

DeWalt Corporation
1930 22nd Street
Bakersfield, California 93301
(661) 323-4600

Prepared by:

LSA Associates, Inc.
20 Executive Park, Suite 200
Irvine, California 92614
(949) 553-0666

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EXECUTIVE SUMMARY

LSA Associates, Inc. (LSA) prepared this biological resources assessment for the proposed Commercial Project at Hosking Avenue and South H Street (project). The project involves a commercial development consisting of fast food restaurants, a service station with gas pumps and car wash, office and caretaker uses, and mini-storage units on an approximately 12-acre vacant lot located south of Hosking Avenue, east of South H Street, in the City of Bakersfield, Kern County. The site was historically used for agricultural but has remained fallow for many years. The site is located on the margin of urban portions of Bakersfield with no connection to undisturbed or natural lands.

In January 2019, LSA biologists conducted a literature review and records search to identify the existence and potential for occurrence of sensitive or special-status plant and animal species in the vicinity of the project site. Federal and state lists of sensitive species were also examined. Current electronic database records reviewed included the California Natural Diversity Database, California Native Plant Society's Electronic Inventory of Rare and Endangered Vascular Plants, and United States Fish and Wildlife Service's National Wetlands Inventory. Historic and current aerial imagery, existing environmental reports for developments in the project vicinity, regional habitat conservation plans, and local land use policies related to biological resources were also reviewed. A field survey covering the entire project site was conducted on January 22, 2019.

With the exception of a proposed bridge spanning the Kern Island Canal, the project site is strictly upland in nature with well-drained soils and vegetation consisting of nonnative grassland with patches of mixed herbaceous ruderal/invasive species and bare ground in several areas. Ongoing soil disturbance and the resulting competitive exclusion by invasive nonnative plants limit the potential for native flora to occur in the project site. No native or special-status vegetation communities exist in the project site. No special-status plant species were observed during the field survey and are not expected to occur due to historical and ongoing anthropogenic disturbances.

Habitat in the project site is considered low quality with respect to most of the regionally-occurring special-status animal species, and no special-status species were observed during the field survey. However, three special-status animal species—San Joaquin kit fox (*Vulpes macrotis mutica*), Bakersfield legless lizard (*Anniella grinnelli*), and burrowing owl (*Athene cunicularia*)—have a moderate potential to occur in the project site due to the presence of suitable habitat and known records in the project vicinity. The project site also contains foraging habitat for certain raptors such as Swainson's hawk (*Buteo swainsoni*) and white-tailed kite (*Elanus leucurus*); however, due to the lack of perennial shrubs and trees in the project site, potential nesting habitat for most bird species is absent. Suitable avian nesting habitat in the project site is limited to that which supports ground-nesting species and other birds that may nest in the annual herbaceous cover.

With the implementation of recommended mitigation measures, including compliance with the Metropolitan Bakersfield Habitat Conservation Plan and associated permit measures, there would be no significant impacts to special-status biological resources resulting from the project.

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Appendix A (Figures), Appendix B (Representative Site Photos), Appendix C (Regional Special-Status Species), and Appendix D (Metropolitan Bakersfield Habitat Conservation Plan Ground Disturbance Compliance Form)

INTRODUCTION

LSA has prepared this Biological Resources Assessment for a proposed 13-acre commercial development project (project) located at Hosking Avenue and South H Street in the City of Bakersfield (City), Kern County, California (refer to Figure 1, Project Location; all figures are provided in Attachment A). The purpose of this report is to describe and document biological resources—including sensitive and special-status species—known to occur or with the potential to occur on the proposed project site. This technical information is provided for project planning purposes and preliminary review under the California Environmental Quality Act (CEQA), California Endangered Species Act (CESA), the Federal Endangered Species Act (FESA), and other pertinent regulations.

The Biological Resources Assessment conducted for the project involved the following components:

- Reviewing existing relevant scientific literature and other pertinent information related to the survey area;
- Creating a list of regionally occurring special-status species determined to have the potential to occur on or in the vicinity of the project site;
- Characterizing the vegetation communities present within the survey area;
- Evaluating the potential for the occurrence of special-status plant and wildlife species within the survey area;
- Assessing the potential for the project to adversely impact existing biological resources; and
- Recommending mitigation measures to avoid or minimize any potential project-related impacts to biological resources.

PROJECT DESCRIPTION

The project involves a commercial development consisting of fast food restaurants, a service station with gas pumps and car wash, office and caretaker uses, and mini-storage units on an approximately 12-acre vacant lot located south of Hosking Avenue, east of South H Street, in the City of Bakersfield (Figure 2). The site is located on the margin of urban portions of Bakersfield with no connection to undisturbed or natural lands.

The project includes re-zoning the lot from “Single Family Residential” to “Neighborhood Commercial Planned Commercial Development” on which would be developed several commercial buildings, including 4,200 square feet of fast food restaurants with a drive-through, a 3,000 square foot convenience store with a gas station and car wash, 6.86-acre mini-storage, and a sump. The gas station and car wash would include eight gas pumps, a tunnel carwash, and 18 vacuum stations. The project would also include approximately 63 parking stalls throughout the site. A 6-foot high solid masonry wall would separate the project site from the residential land uses located east of the project site. The project site plan is shown in Figure 3. The project would develop and therefore, permanently alter he entire 13-acre parcel.

Regional access to the site is provided by State Route 99, which is located approximately 0.3 mile west of the project site. Site access would be provided by one main driveway along Hosking Avenue, as well as a 2-lane clear-spanning bridge over the Kern Island Canal on the east side of South H Street. The project would not require any work within undeveloped lands outside of the 13-acre project site.

PROJECT SETTING

The project site is located along the center of the San Joaquin Valley floor in the central portion of Kern County. Specifically, the project site is located on Assessor's Parcel Number 517-010-01 in the southeast quarter of the United States Geological Survey (USGS) *Gosford, California*, 7.5-minute topographic quadrangle map (refer to Figure 1). The "project site" discussed in this report refers to all areas within the 13-acre property where temporary and permanent ground disturbance will occur, as well as the proposed 2-lane bridge that would cross the Kern Island Canal from South H Street.

The project site is currently fallow and disturbed with no existing structures (Figure 2). The site was previously used for agriculture, consistent with many of the surrounding lands in the region. According to historic aerial imagery, the project site has remained in its current condition for more than 20 years. Adjacent parcels consist mostly of low-density residential developments, with several undeveloped lots located to the south of the project site and west of South H Street. Recent developments along the margins of the City of Bakersfield and expansion into ranch land settlements have brought increased urban development throughout lands previously used for agriculture. Some lands in the vicinity of the project site are fallow or active agricultural lands; however, most of the lands are developed and are a mixture of school, residential, commercial, retail, and industrial developments. There are no undisturbed open spaces in the vicinity of the project site.

The project site is located within the San Joaquin Valley Sub-region of the California Floristic Province (Baldwin, et al. 2012) and within the Tulare-Buena Vista Lakes watershed (Hydrologic Unit Code #18030012). The project site consists of a flat lot with almost no topographic variation and is at approximately 347 feet (106 meters) above sea level in elevation. The Kern Island Canal is located along the western boundary of the project site, but there are no drainage features or riparian areas present in the proposed commercial development area. Extensive soil disturbance from off-road vehicles is evident throughout the site, and the site appears to be regularly disked for vegetation control.

METHODS

LITERATURE REVIEW AND RECORDS SEARCH

LSA Biologist Bo Gould conducted a literature review and records search on January 15, 2019, to identify the existence and potential for occurrence of sensitive or special-status[1] plant and animal species in the vicinity of the project site. Federal and State lists of sensitive species were also examined. Current electronic database records reviewed included the following:

- **California Natural Diversity Data Base information (CNDDB – RareFind 5)**, which is administered by the California Department of Fish and Wildlife (CDFW), formerly known as the California Department of Fish and Game (CDFG). This database covers sensitive plant and animal species as well as sensitive natural communities that occur in California. Records from nine USGS quadrangles surrounding the project site (*Gosford*, *Rosedale*, *Oildale*, *Oil Center*, *Lamont*, *Weed Patch*, *Conner*, *Millux*, and *Stevens*) were obtained from this database to inform the field survey.

- **California Native Plant Society's (CNPS) Electronic Inventory of Rare and Endangered Vascular Plants**, which utilizes four specific categories or "lists" of sensitive plant species to assist with the conservation of rare or endangered botanical resources. All of the plants constituting California Rare Plant Ranks 1A, 1B, 2A, and 2B are intended to meet the status definitions of "threatened" or "endangered" in CESA and the California Department of Fish and Game Code, and are considered by CNPS to be eligible for State listing. At the discretion of the CEQA Lead Agency, impacts to these species may be analyzed as such, pursuant to the CEQA Guidelines Sections 15125(c) and 15380. Plants in Rank 3 (limited information; review list), Rank 4 (limited distribution; watch list), or that are considered Locally Unusual and Significant may be analyzed under CEQA if there is sufficient information to assess potential significant impacts. Records from the nine USGS quadrangles surrounding the project site were obtained from this database to inform the field survey.

- **Designated and Proposed USFWS Critical Habitat Polygons** were reviewed to determine whether critical habitat has been designated or proposed within or in the vicinity of the project site (USFWS 2019a).

- **The USFWS National Wetlands Inventory** was reviewed to determine whether any wetlands or surface waters of the United States have been previously-identified in the survey area (USFWS 2019b).

[1] For the purposed of this report, the term "special-status species" refers to those species that are listed or proposed for listing under the CESA and/or FESA, California Fully Protected Species, California Species of Special Concern, California Special Animals, and species covered under the Metropolitan Bakersfield Habitat Conservation Plan. It should be noted that "Species of Special Concern" and "California Special Animal" are administrative designations made by the CDFW and carry no formal legal protection status. However, Section 15380 of the CEQA Guidelines indicates that these species should be included in an analysis of project impacts if they can be shown to meet the criteria of sensitivity outlined therein.

In addition to the databases listed above, historic and current aerial imagery, existing environmental reports for developments in the project vicinity, and regional habitat conservation plans and local land use policies related to biological resources were reviewed.

FIELD SURVEY

A general biological survey of the project site was conducted by LSA Biologist Bo Gould on January 22, 2019. The entire project site was surveyed on foot, and all biological resources observed were noted and mapped. Suitable habitat for any species of interest or concern was duly noted, and general site conditions were photographed (Appendix B, Site Photos). The field survey took place on a partly cloudy morning with weather conditions conducive to the detection of plant and animal species.

RESULTS

This section summarizes the environmental setting and provides further analysis of the data collected in the field. Discussions regarding the existing project site conditions, soils, vegetation communities, potentially occurring special-status biological resources, and habitat connectivity are presented below.

The project site consists of a flat, undeveloped lot supporting nonnative grassland and other invasive plant species. Ruderal and nonnative grassland vegetation existing on the site appears to be maintained annually. There are no perennial shrubs or trees within the project site. Much of the soil and vegetation in the project site is disturbed from existing roadways in the immediate vicinity, off-highway vehicles, and human foot traffic. Worn foot paths, litter, and trampling are evident throughout the project site.

Habitat in the project site is considered low quality with respect to most of the special-status animal species identified during the literature review and is not expected to support any special-status plant species (refer to Appendix C). Wildlife species observed during the January 2019 field survey include: rock pigeon (*Columba livia*; nonnative species), white-crowned sparrow (*Zonotrichia leucophrys*), western kingbird (*Tyrannus verticalis*), northern mockingbird (*Mimus polyglottos*), mourning dove (*Zenaida macroura*), black phoebe (*Sayornis nigricans*), California gull (*Larus californicus*), common raven (*Corvus corax*), and European starling (*Sturnus vulgaris*; nonnative species), and California ground squirrel (*Spermophilus beecheyi*).

No riparian habitat exists in the project site or on adjacent parcels and there are no wetlands in the project site. The project site does not serve as a wildlife nursery or as a wildlife migration corridor. Further details regarding specific biological resources are provided in the following subsections.

VEGETATION COMMUNITIES AND LAND COVER TYPES

With the exception of the Kern Island Canal (which supports open water conveyed for irrigation purposes), the project site is strictly upland in nature with dominant vegetation consisting of nonnative grassland with patches of mixed herbaceous ruderal/invasive species. Ongoing soil disturbance and the resulting competitive exclusion by invasive nonnative plants limit the potential for native flora to occur in the project site. No native or special-status vegetation communities exist in the project site.

The identification and characterizations of vegetation communities generally follow the plant community descriptions in the Manual of California Vegetation (Sawyer et al. 2009). Anthropogenic areas are those areas that have been converted from their natural habitat to ones that are subject to ongoing human maintenance and disturbance; these areas include roads, road shoulders, and areas that are disturbed or maintained. The acreages of each vegetation community and land cover type occurring in the project site are shown in Table A, below. Representative photographs of the project site are presented in Appendix B, and Figure 4 provides a map of these vegetation and land cover types within the project site.

Table A: Vegetation and Land Cover Types Within the Project site

Vegetation / Land Cover Type	Acreage
Annual Brome Grassland	9.13
Disturbed / Barren	2.63
Kern Island Canal – Open Water [1]	1.24
Total	**13.00**

[1] While the entire length of the Kern Island Canal adjacent to the western development boundaries was mapped and inventoried, the project (as currently designed) would not result in direct impacts to the Kern Island Canal. One clear-spanning bridge from South H Street is currently proposed.

A total of 16 vascular plant species were identified within the project site during the January 2019 field survey, as shown in Table B, below. A total of 14 of these plant species represent nonnative taxa, reflecting a high level of disturbance within the project site. It should be noted that the field survey took place during the initial growth of annual vegetation; more annual grassland species are anticipated to occur but were not observable or identifiable at the time of the site survey.

Table B: Vascular Plant Species Observed Within the Project site

EUDICOTS	
Amaranthaceae	**Amaranth family**
* *Amaranthus albus*	pigweed amaranth
Asteraceae	**Sunflower Family**
Erigeron canadensis	Canadian horseweed
* *Sonchus* sp.	sow thistle
Boraginaceae	**Borage family**
Amsinckia menziesii	common fiddleneck
Brassicaceae	**Mustard Family**
* *Raphanus raphanistrum*	wild radish
* *Sisymbrium irio*	London rocket
Chenopodiaceae	**Goosefoot Family**
* *Salsola tragus*	Russian thistle
Geraniaceae	**Geranium Family**
* *Erodium* sp.	filaree
MONOCOTS	
Poaceae	**Grass Family**
* *Avena* sp.	wild oat
* *Bromus diandrus*	ripgut grass
* *Bromus madritensis* ssp. *rubens*	red brome
* *Bromus madritensis* ssp. *madritensis*	foxtail chess
* *Cynodon dactylon*	Bermuda grass
* *Festuca myuros*	rattail fescue
* *Hordeum murinum* ssp. *leporinum*	foxtail barley
* *Poa annua*	annual blue grass

* = nonnative species

Annual Brome Grassland (*Bromus Diandrus-Bromus Madritensis* Semi-Natural Herbaceous Alliance)

Disturbed nonnative annual brome grassland comprises the majority of the project site. Annual brome grasslands are often found in rangelands, waste areas, and openings of oak woodlands and scrub habitats. The annual brome grassland observed in the project site was a mixture of nonnative weeds and grasses dominated by nonnative brome grasses (*Bromus* spp.), red-stemmed filaree (*Erodium cicutarium*), wild oats (*Avena* sp.), Bermuda grass (*Cynodon dactylon*) and rattail fescue (*Festuca myuros*), among others. Less prevalent species at the time of survey included London rocket (*Sisymbrium irio*) and Russian thistle (*Salsola tragus*). The dominance of these nonnative weedy species is indicative of historical and recent soil disturbance. Native perennial shrubs and trees are entirely absent from the project site, and the site appears to be regularly maintained.

Large tracts of annual grassland habitat provide foraging and/or breeding habitat for many wildlife species. Vacant lots in the vicinity of the project site provide suitable habitat for numerous invertebrate species (such as insects), many of which provide a food source for animals such as lizards, birds, and small mammals, which in turn serve as a prey base for larger predator animals, including snakes, raptors, and coyotes. Due to the relatively small size and extensive weed coverage of the annual brome grassland within the project site, it is not expected to provide high-quality foraging or nesting habitat for many special-status wildlife species known to occur in the region.

Disturbed / Barren

Based on an analysis of historical aerial imagery and observations during the project site survey, vehicles regularly park and drive across portions of the site, specifically along the project site perimeter. Portions of the central survey area also appeared to be disturbed by off-highway vehicles (as evinced by tire tracks, ruts, etc.). These disturbed areas lacked vegetation or supported a sparse cover of ruderal vegetation, with annual nonnative grasses and Russian thistle being the most frequently encountered plant species. Several other invasive, pioneering plant species were also observed in these areas.

SOILS

According to the NRCS online soil survey of Kern County, the project site consists entirely of one soil type: Kimberlina fine sandy loam, 0 to 2 percent slopes, MLRA 17 (NRCS 2019) (Figure 5). This soil classification is discussed in greater detail below.

Kimberlina fine sandy loam, 0 to 2 Percent Slopes, MLRA 17

The parent material of this soil type is alluvium derived from igneous and sedimentary rock, occurring between 37 and 350 m in elevation. The drainage class of this soil type is well drained, and it is typically composed of fine sandy loam and silt loam. Kimberlina fine sandy loam usually occurs on alluvial fans and flood plains in the San Joaquin Valley and Mojave Desert, and is used for growing irrigated field, forage, and row crops. When not irrigated, vegetation is annual grasses, forbs, and *Atriplex* species in the San Joaquin Valley.

SPECIAL-STATUS BIOLOGICAL RESOURCES

The Bakersfield region supports various special-status natural communities, plants, and animals. Appendix C provides tables that identify those special-status plant and animal species known to occur or that potentially occur in the vicinity of the project site (based on the literature review and experience in the region) and includes detailed information about each species' habitat and distribution, State and Federal status designations, and probability of occurrence within the project site. As stated in the methodology section above, the background research included occurrence records from nine USGS topographic quadrangles surrounding the survey area. A nine USGS quadrangle search covers a large, variable geographic and topographic area containing numerous habitat types not found within or around the project site. The following species are not included in Appendix C because suitable habitat does not occur in the project site or in the immediate vicinity, or the project site is outside of the species' known current range: great egret (*Ardea alba*; nesting colonies), western snowy plover (*Charadrius alexandrines nivosus*; nesting), snowy egret (*Egretta thula*; nesting colonies), western pond turtle (*Emys marmorata*), Kern shoulderband (*Helminthoglypta callistoderma*), and white-faced ibis (*Plegadis chihi*; nesting colonies).

The following subsections provide specific discussions for special-status natural communities, plant and animal species, and habitats of concern (including critical habitat, jurisdictional aquatic resources, wildlife movement corridors, and regional and local habitat conservation plans).

Special-Status Natural Communities

The CNDDB search identified occurrences of five special-status natural (i.e., plant) communities within the nine-quad search area: Great Valley Cottonwood Riparian Forest, Great Valley Mesquite Scrub, Valley Sacaton Grassland, Valley Saltbush Scrub, and Valley Sink Scrub.

No special-status natural communities or conservation areas exist within the project site or in adjacent parcels. The project site is completely isolated from all special-status natural communities that occur in the region.

Special-Status Plants

The literature review identified 22 special-status plant species that are known to occur within a nine-quad radius of the project site (refer to Appendix C). The majority of the rare plant species that were identified in the databases have specialized habitat requirements (i.e., they occur on predominantly alkaline soils, woodland, riparian, or wetland habitats, etc.) that do not occur within the project site.

Historic anthropogenic disturbances have greatly altered the natural hydrologic regimes and have either eliminated or greatly impacted the pre-settlement habitats needed to support the special-status plant species identified in the CNDDB and CNPS queries. As such, the specific habitats, soil substrates or "micro-climates" necessary for special-status plant species to occur are absent within the boundaries of the project site. Based on site observations coupled with the habitat suitability analysis, no special-status plant species are expected to occur within the project site. It is also unlikely that any source populations exist in adjacent or nearby parcels.

Special-Status Animals

The historic anthropogenic disturbances in the project site and adjacent parcels (i.e., farming, disking, off-highway vehicles , etc.) have greatly altered, eliminated, or impacted the pre-settlement habitats needed to support most of the special-status animal species identified in the CNDDB and USFWS queries (refer to Appendix C). There are no known occurrences of any special-status animal species in the project site, and none were observed during the January 2019 field survey. Nonetheless, suitable habitat for several regionally-occurring special-status species is present in the project site and those species are discussed in further detail below.

Three special-status animal species, San Joaquin kit fox (*Vulpes macrotis mutica*), Bakersfield legless lizard (*Anniella grinnelli*), and burrowing owl (*Athene cunicularia*) have a moderate potential to occur in the project site due to the presence of suitable habitat and/or known records in the project vicinity. However, no sign which would indicate occupation or use by these species (e.g., scat, tracks, nesting materials, prey remains, or any other sign) was identified. Several small mammal burrows, including active California ground squirrel burrows and others (likely those of California vole [*Microtus californicus*], and/or Botta's pocket gopher [*Thomomys bottae*]), were observed within the grassland habitats in the project site. None of the small mammal burrows observed in the project site exhibited features typical of occupied kit fox or burrowing owl burrows, although there is some potential for use by these species in the future.

The project site contains foraging habitat for certain raptors such as Swainson's hawk (*Buteo swainsoni*) and white-tailed kite (*Elanus leucurus*); however, due to the lack of perennial shrubs and trees in the project site, potential raptor nesting habitat is absent in the project site and in the immediate surroundings. Suitable avian nesting habitat in the project site is limited to that which supports ground-nesting species such as horned lark (*Eremophila alpestris*) and other birds that may nest in the annual herbaceous cover.

The evaluation of special-status animal species occurrence within the project site was based on a habitat suitability analysis. It did not include exhaustive surveys to determine their presence or absence, but did include direct observation of on-site and off-site conditions and a review of the CNDDB records documenting recorded occurrence data from the area to conclude whether or not a particular species could be expected to occur. Based on this analysis, it is unlikely that the remaining special-status wildlife species listed in Appendix C occur within the project site. Adverse impacts to special-status wildlife species are not anticipated with the implementation of the recommended mitigation measures described in further detail below.

Critical Habitat

The survey area is not located within designated critical habitat for any species.

Jurisdictional Aquatic Resources

With the exception of the Kern Island Canal, the project site is strictly upland in nature with well-drained soils. Current project plans propose one clear-spanning bridge over the canal from South H Street. Therefore, a formal jurisdictional delineation of this clearly defined feature was not conducted as part of this analysis.

The Kern Island Canal is an artificially-constructed irrigation canal (owned and operated by the Kern Delta Water District) that conveys diverted water from the Kern River to farmland south of Bakersfield. At the project site, the Kern Island Canal is approximately 60 feet in width from the top-of-bank to top-of-bank and is devoid of vegetation. No wetland or riparian vegetation is present, and the canal appears to be regularly maintained for vegetation control and irrigation water conveyance. The active streambed width at the time of the field survey was approximately 45 feet. Due to the presence of a bed and bank, the Kern Island Canal may fall within the jurisdiction of CDFW under Section 1600 of the California Fish and Game Code and the Regional Water Quality Control Board (RWQCB) under the California Water Code. Any proposed fill within the banks or project activities that could alter the bed and/or banks of the canal may require a permit or authorization from these agencies. Based on an analysis of topographic and aerial maps, along with relevant literature, the Kern Island Canal does not appear to have a downstream nexus with any jurisdictional water of the United States under the 2015 Clean Water Rule, and is therefore not likely subject to currently-defined United States Army Corps of Engineers (USACE) jurisdiction under the federal Clean Water Act. If constructing the final project site plans would result in direct modifications to any area within the banks of the Kern Island Canal, it is recommended to consult with the CDFW, RWQCB, and USACE to verify the feature's jurisdictional status and obtain applicable permit(s) and/or authorization(s), if any.

Wildlife Movement and Habitat Connectivity

As the project site is isolated from natural areas, it is unlikely that the site serves as an important corridor for animals moving locally, regionally, or in broader migrations. Migratory bird species may utilize the project site for foraging; however, the usage is likely transient and limited to species that forage over open grassland areas. The project site does not possess any characteristics that would indicate a locally significant stopover point for migratory species including raptors or waterfowl.

No known wildlife movement corridors occur within the project site or in the immediate vicinity.

Regional Habitat Conservation Plans and Local Policies

The project site is within lands covered by the Metropolitan Bakersfield Habitat Conservation Plan (MBHCP 1994). Species covered under the MBHCP are listed as such in Appendix C. Landowners who own land in the MBHCP area which is proposed for urban development will be covered by the incidental take provision of the Section 10(a) permit (PRT-786634) and CDFW Incidental Take Permit No. 2081-2013-058-04. Such development is subject to a one-time fee payment (cost calculated per gross acre of land disturbed by development activities; currently $2,145.00 per gross acre). The fee is payable to the City at the time a grading permit, grading plan approval, or building permit is issued. The MBHCP and associated incidental take permits contain measures that shall be implemented by the landowner during project construction activities to avoid or reduce any potential take of species covered under the plan. The recommended mitigation measures detailed below are intended to ensure consistency with the conservation goals and requirements of the MBHCP and associated incidental take permits. The *MBHCP Ground Disturbance Compliance Form* (City of Bakersfield 2018) is included for reference in Appendix D.

IMPACT FINDINGS AND RECOMMENDED MITIGATION MEASURES

The following impact assessment and recommended mitigation measures are intended to support the CEQA review process. The project as proposed by the applicant, coupled with LSA's survey results and review of biological literature, provided the basis for this analysis. The impact discussion below addresses the range of impacts that could result from the proposed project, as well as recommended mitigation measures that would avoid, reduce, or compensate for such impacts.

SPECIAL-STATUS SPECIES

No special-status plant species are expected to occur within the project site or to be adversely affected by the proposed project.

Small mammal burrows existing in the project site may be utilized by burrowing owl, a state species of special concern, and/or San Juaquin kit fox, a federally listed as endangered and state-listed as threatened species. Potentially significant direct and indirect impacts, including mortality, harassment, or other forms of incidental take, could occur if construction-related ground disturbance occurs in or around an occupied den or burrow.

The project site also provides potentially suitable habitat for several special-status animal species, including Bakersfield legless lizard, although the removal of such habitat is not anticipated to substantially impact the population sizes of any special-status animal species given the context and setting of the project site and additional habitats for these species in the project vicinity.

Though the project site does not include nesting habitat for raptors or other tree-nesting species, the site does contain suitable nesting habitat for ground-nesting birds and for other birds that are protected while nesting under the California Fish and Game Code. Construction activities that occur during the nesting bird season (typically February 15 through September 15) have potential to result in the direct or indirect take of nesting birds.

If unmitigated, these potential direct and indirect impacts on special-status wildlife species could be considered potentially significant. However, implementation of Mitigation Measures BIO-1 through BIO-5, as summarized below, would effectively mitigate any impacts on special-status wildlife species to less-than-significant levels.

Mitigation Measure BIO-1: Pay Development Impact Fees Pursuant to the Metropolitan Bakersfield Habitat Conservation Plan. Prior to the issuance of grading permits, the project proponent shall provide evidence to the City of Bakersfield Planning Division to demonstrate compliance with the following:

The project proponent shall pay fees pursuant to the Metropolitan Bakersfield Habitat Conservation Plan and Incidental Take Permit, which includes coverage for the San Joaquin kit fox. The payment of development impact fees is considered adequate mitigation under the Metropolitan Bakersfield Habitat Conservation Plan and Incidental Take Permit to minimize impacts on covered special-status species.

The fees are placed in an account for habitat acquisition and management to be used by the Metropolitan Bakersfield Habitat Conservation Plan Implementation Trust Group. Upon the payment of this fee as specified by the City of Bakersfield, the project applicant will become a sub-permittee and will be allowed the incidental take of the species in accordance with state and federal endangered species laws and mitigation requirements of all state, federal, and local parties (City of Bakersfield, County of Kern 2016, CDFW Incidental Take Permit No. 2081-2013-058-04).

Mitigation Measure BIO-2: Conduct Preconstruction Clearance Surveys for San Joaquin Kit Fox and Burrowing Owl; Compliance with Incidental Take Permit Measures. A preconstruction clearance survey is required for San Joaquin kit fox and burrowing owl no more than 30 calendar days prior to initiation of project activities. The survey shall be completed in accordance with the *MBHCP Ground Disturbance Compliance Form* (City of Bakersfield 2018; refer to Appendix D). All survey results must be delivered to the USFWS, the CDFW, and the City of Bakersfield. If the survey results find a covered species on the project site, a written Notice of Grading is required at least 5 business days prior to any ground disturbance activities (excluding weekends and holidays), and at least 30 calendar days' notice is required for any translocation or trapping and relocation of covered species. The Notice of Grading shall only be submitted after all required minimization measures, according to the Incidental Take Permit, are implemented.

Specific avoidance, den excavation, and passive relocation activities shall be performed as follows:

A. **San Joaquin Kit Fox Avoidance and Den Excavation.** If known, active, or natal San Joaquin kit fox dens are identified during the survey, minimization measures identified in the Incidental Take Permit for den avoidance must be demonstrated (Metropolitan Bakersfield Habitat Conservation Plan Incidental Take Permit Condition of Approval 7.5). If dens cannot be avoided, appropriate monitoring and den excavation as described in Metropolitan Bakersfield Habitat Conservation Plan Incidental Take Permit Condition 7.6 will be adhered to.

B. **Burrowing Owl Focused Survey and Avoidance and Passive Relocation.** A focused survey following the protocol described in the *CDFW Staff Report on Burrowing Owl Mitigation* (CDFG 2012) will be conducted prior to the start of construction. If burrowing owls are identified on the project site, occupied burrows shall not be disturbed during the nesting season (February 1 through August 31 for owls and other raptors). The non-disturbance buffer shall include a minimum 250-foot buffer zone around any occupied burrow unless a qualified biologist approved by the CDFW verifies through non-invasive methods that either (1) burrowing owls have not begun egg laying and incubation, or (2) juveniles from the occupied burrows are foraging independently and are capable of independent survival. The sizes of individual

buffers may be modified through coordination with the CDFW based on site-specific conditions and existing disturbance levels. During the non-nesting season or if the qualified biologist determines either (1) or (2) above, the project applicant will coordinate with the CDFW to construct artificial burrows and passively relocate the owl(s). Passive relocation is defined as encouraging owls to move from occupied burrows to alternate natural or artificial burrows that are beyond 50 meters (approximately 160 feet) from the impact zone and that are within or contiguous to a minimum of 6.5 acres of foraging habitat for each pair of relocated owls (California Burrowing Owl Consortium 1993).

For any required passive relocation, the *Burrowing Owl Survey Protocol and Mitigation Guidelines* (California Burrowing Owl Consortium 1993) state that: "Owls should be excluded from burrows in the immediate impact zone and within a 50 m (approx. 160 feet) buffer zone by installing one-way doors in burrow entrances. One-way doors should be left in place 48 hours to insure owls have left the burrow before excavation. One alternate natural or artificial burrow should be provided for each burrow that will be excavated in the project impact zone. The project site should be monitored daily for one week to confirm owl use of alternate burrows before excavating burrows in the immediate impact zone. Whenever possible, burrows should be excavated using hand tools and refilled to prevent reoccupation. Sections of flexible plastic pipe or burlap bags should be inserted into the tunnels."

Mitigation Measure BIO-3. Worker Environmental Awareness Training. Prior to initial groundbreaking, Worker Environmental Awareness Training shall be conducted by a qualified biologist to educate all construction personnel on the relevant federal, state, and local laws related to potentially occurring special-status species at the site. The tailgate session shall include training on identification of species that may be found on the project site, the status of those species, and any legal protection afforded to those species. Metropolitan Bakersfield Habitat Conservation Plan Incidental Take Permit Conditions and Measures that are being implemented to protect those species will also be explained. Personnel will be advised to report any special-status species or burrows promptly. A fact sheet conveying this information will be prepared for display or for distribution to anyone who may enter the project site.

Mitigation Measure BIO-4. Construction Site Housekeeping and Operational Requirements. Habitat subject to permanent and temporary construction disturbances and other types of ongoing project-related disturbance activities shall be minimized by adhering to the following *USFWS Standardized Recommendations for Protection of the Endangered San Joaquin Kit Fox* (USFWS 2011):

A. To minimize temporary disturbances, all project-related vehicle traffic shall be restricted to established roads, construction areas, and other designated areas. These areas shall also be included in preconstruction surveys and, to the extent possible, shall be established in locations disturbed by previous activities to prevent further impacts.

B. Project-related vehicles shall observe a daytime speed limit of 20-mph throughout the site in all project sites, except on county roads and state and federal highways; this is particularly important at night when kit foxes are most active. Night-time construction shall be minimized to the extent possible. However if it does occur, then the speed limit shall be reduced to 10-mph. Off-road traffic outside of designated project sites shall be prohibited.

C. To prevent inadvertent entrapment of kit foxes or other animals during the construction phase of a project, all excavated, steep-walled holes or trenches more than 2-feet deep shall be covered at the close of each working day by plywood or similar materials. If the trenches cannot be closed, one or more escape ramps constructed of earthen-fill or wooden planks shall be installed. Before such holes or trenches are filled, they shall be thoroughly inspected for trapped animals. If at any time a trapped or injured kit fox is discovered, the USFWS and the CDFW shall be contacted as required by the Metropolitan Bakersfield Habitat Conservation Plan Incidental Take Permit Conditions.

D. Kit foxes are attracted to den-like structures such as pipes and may enter stored pipes and become trapped or injured. All construction pipes, culverts, or similar structures with a diameter of 4-inches or greater that are stored at a construction site for one or more overnight periods shall be thoroughly inspected for kit foxes before the pipe is subsequently buried, capped, or otherwise used or moved in any way. If a kit fox is discovered inside a pipe, that section of pipe shall not be moved until the USFWS and CDFW have been consulted. If necessary, and under the direct supervision of the biologist, the pipe may be moved only once to remove it from the path of construction activity, until the fox has escaped. In the case of trapped animals, escape ramps or structures shall be installed immediately to allow the animal(s) to escape, or the USFWS and CDFW should be contacted for further guidance.

E. All food-related trash items such as wrappers, cans, bottles, and food scraps shall be disposed of in securely closed containers and removed at least once a week from a construction or project site.

F. Pets, such as dogs or cats, shall not be permitted on the project site to prevent harassment, mortality of kit foxes, or destruction of dens.

G. Use of rodenticides and herbicides in project sites shall be restricted. This is necessary to prevent primary or secondary poisoning of kit foxes and the depletion of prey populations on which they depend. All uses of such compounds shall observe label and other restrictions mandated by the U.S. Environmental Protection Agency, California Department of Food and Agriculture, and other state and federal legislation. If rodent control must be conducted, zinc phosphide should be used because of a proven lower risk to kit fox.

Mitigation Measure BIO-5. Nesting Bird Surveys and Avoidance. If vegetation removal, construction, or grading activities are planned to occur within the active nesting bird season (February 15 through September 15), a qualified biologist shall conduct a

preconstruction nesting bird survey no more than 5 days prior to the start of such activities. The nesting bird survey shall include the project site and areas immediately adjacent to the site that could potentially be affected by project-related activities such as noise, vibration, increased human activity, and dust, etc. For any active nest(s) identified, the qualified biologist shall establish an appropriate buffer zone around the active nest(s). The appropriate buffer shall be determined by the qualified biologist based on species, location, and the nature of the proposed activities. Project activities shall be avoided within the buffer zone until the nest is deemed no longer active by the qualified biologist.

CRITICAL HABITAT

The project would not result in any impacts to designated critical habitat, and no additional mitigation is required.

JURISDICTIONAL AQUATIC RESOURCES

The project, as currently proposed, would not result in direct impacts to jurisdictional aquatic resources, and no additional mitigation is required. As mentioned above, if the final project design would result in direct modifications to any area within the banks of the Kern Island Canal, it is recommended to consult with the CDFW, RWQCB, and USACE to verify the feature's jurisdictional status and obtain applicable permit(s) and/or authorization(s). Following applicable permit measures would prevent significant impacts on jurisdictional resources.

WILDLIFE MOVEMENT AND HABITAT CONNECTIVITY

The proposed project would not place any permanent barriers within any known wildlife movement corridors or interfere with habitat connectivity, and no additional mitigation is required.

REGIONAL HABITAT CONSERVATION PLANS AND LOCAL POLICIES

With implementation of the recommended mitigation measures listed above, the proposed project would not conflict with any regional habitat conservation plan or local policies related to the protection and conservation of biological resources.

CONCLUSION

The project site consists entirely of nonnative annual grassland as well as barren areas and areas disturbed by anthropogenic activities (e.g., historic farming, ongoing vegetation control, and off-highway vehicles). Based on field observations coupled with the habitat suitability analysis conducted for this assessment, the proposed project has low-to-moderate potential to impact several regionally-occurring special-status wildlife species, but is not anticipated to impact any special-status plant species, natural communities, or other habitats of concern. The implementation of the recommended mitigation measures detailed herein would ensure consistency with regional habitat conservation plans and local policies related to biological resources, and would reduce any potentially significant impacts on special-status wildlife species to a less than significant level.

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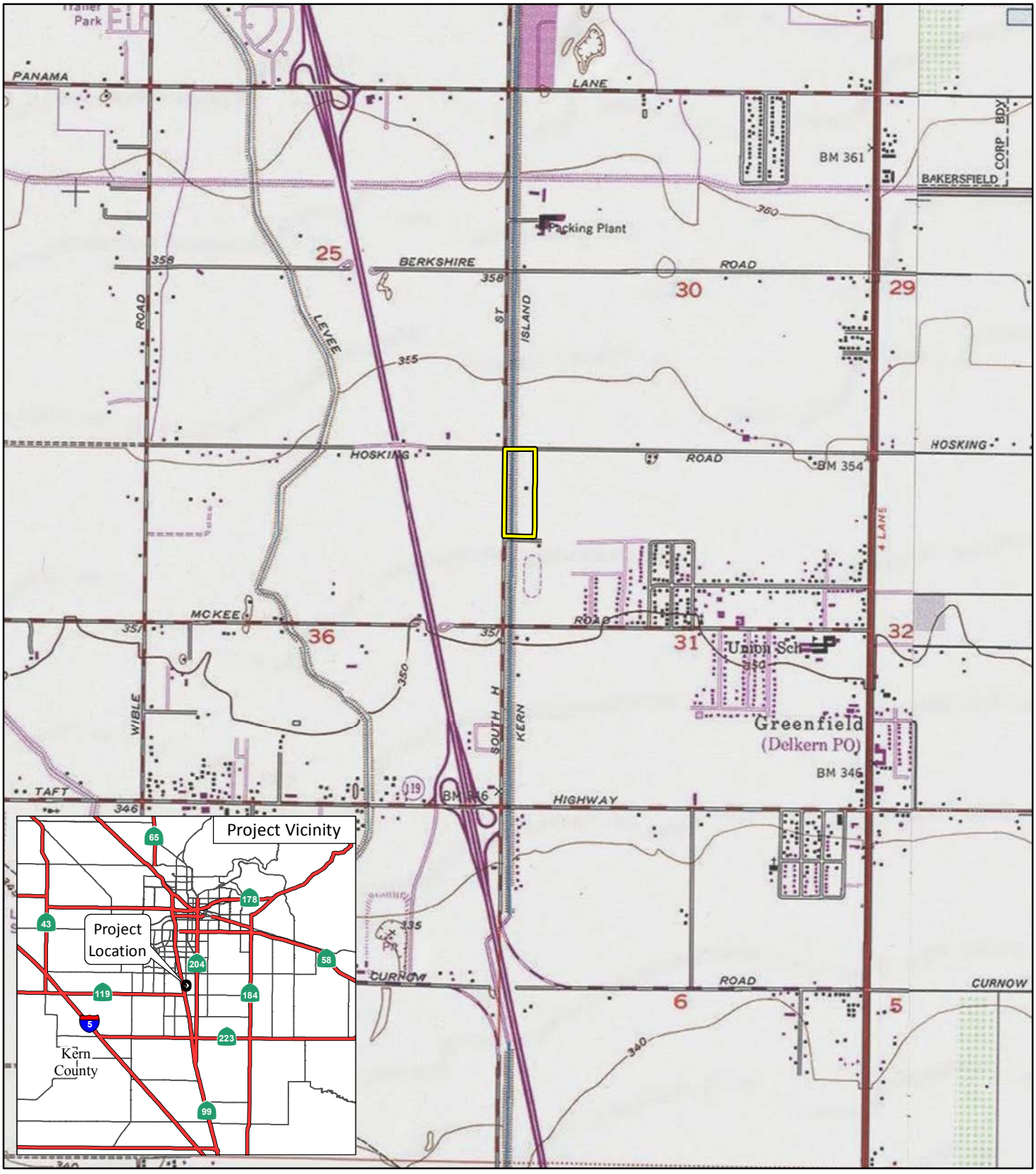
APPENDIX A

FIGURES



LSA

LEGEND

Project Location

FIGURE 1

N

0 1000 2000

FEET

SOURCE: USGS 7.5' Quad., *Gosford, CA* (1973)

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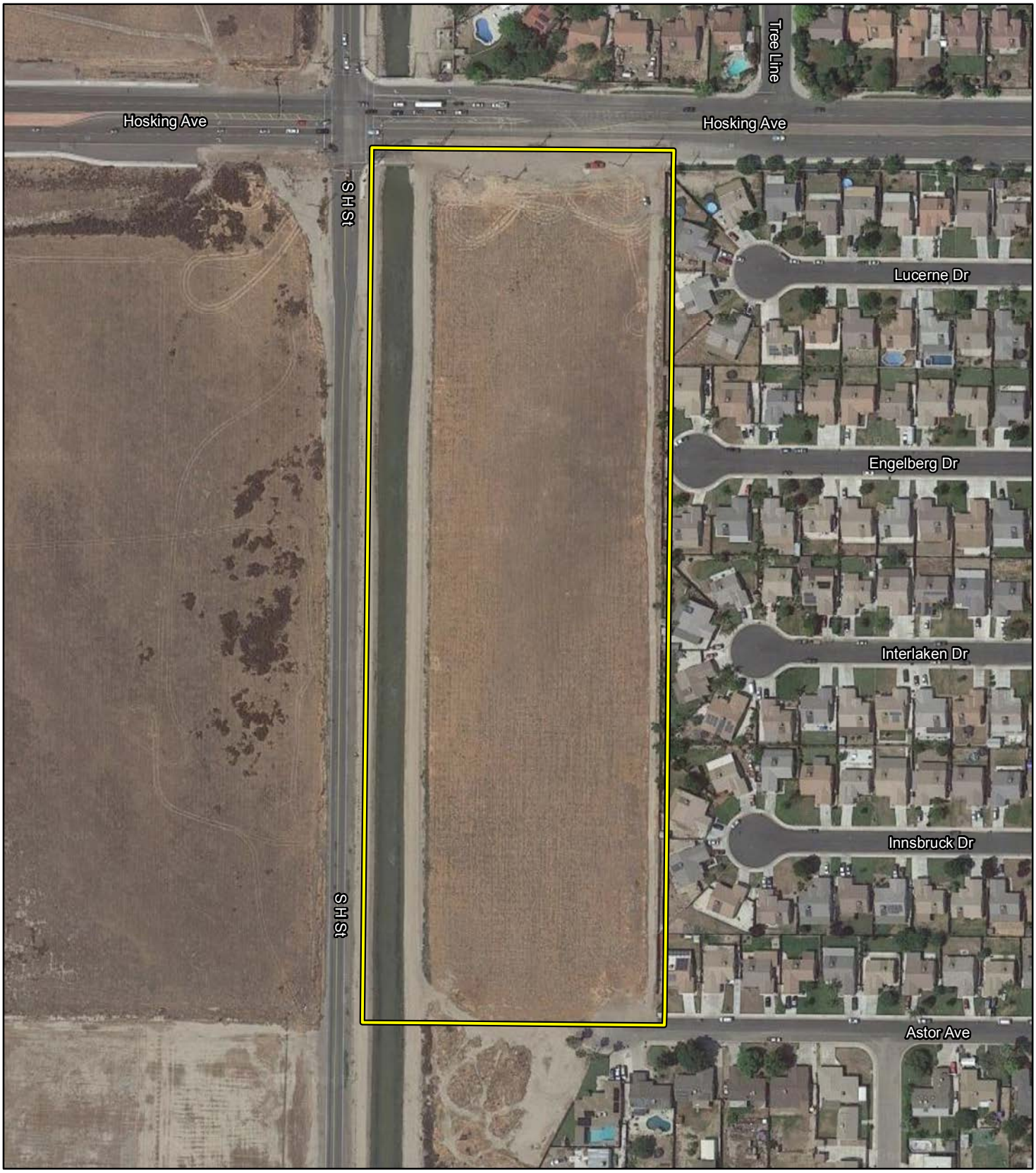
Hosking/South H St Project

Project Location



LSA

LEGEND

Project Location

FIGURE 2

N

0 100 200

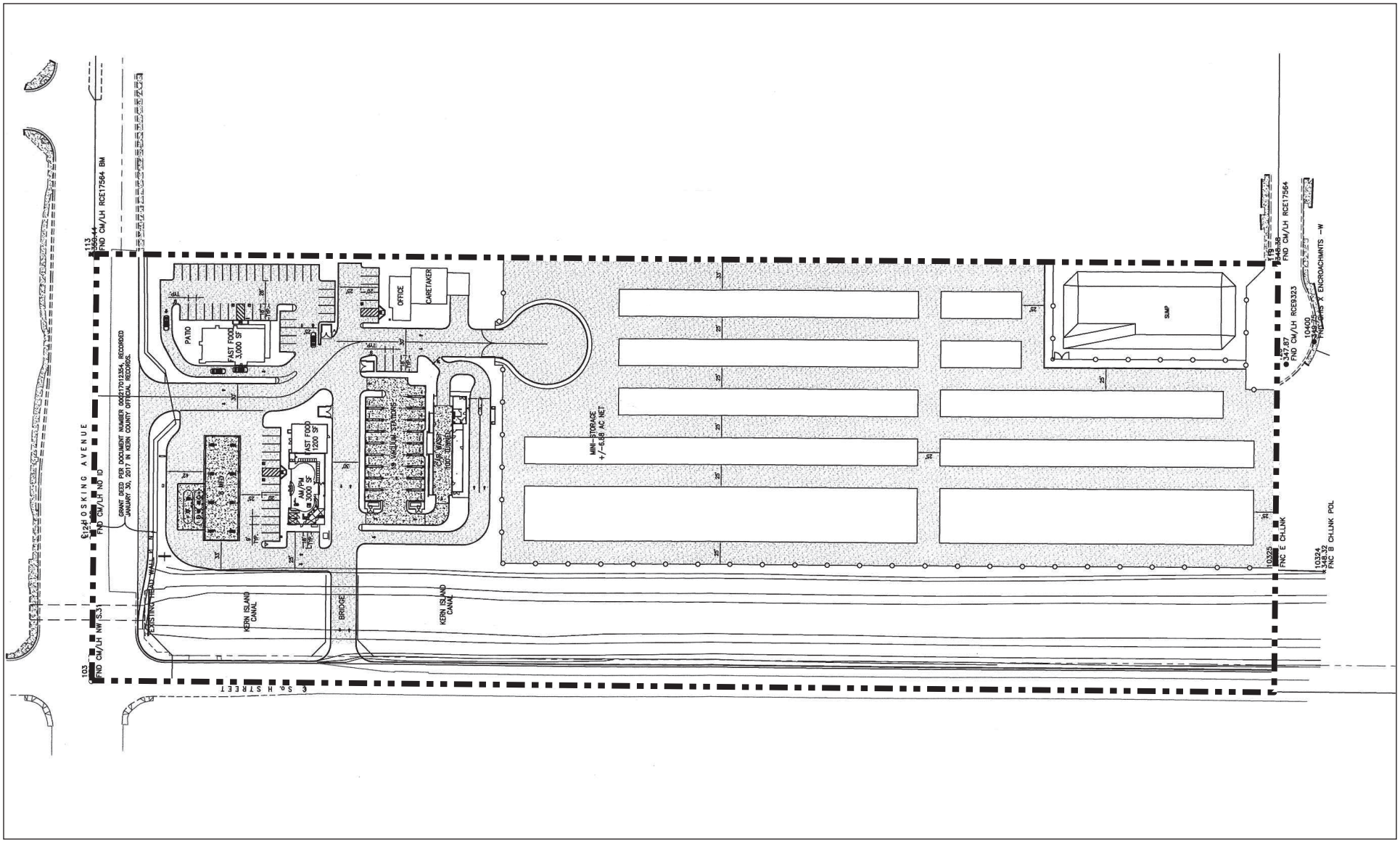
FEET

SOURCE: Google Aerial (~2017)

I:\DWL1901\GIS\MXD\ProjectSite.mxd (1/9/2019)

Hosking/South H St Project

Project Site



LSA

FIGURE 3

0 50 100
FEET

N

Project Site

Hosking Avenue/South H Street Commercial Project
Site Plan

SOURCE: DEWALT CORPORATION, 2018.

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LSA

FIGURE 4

LEGEND

Project Site

Vegetation and Land Cover Types

Kern Island Canal - Open Water

Annual Brome Grassland

Disturbed/Barren

N

0 100 200

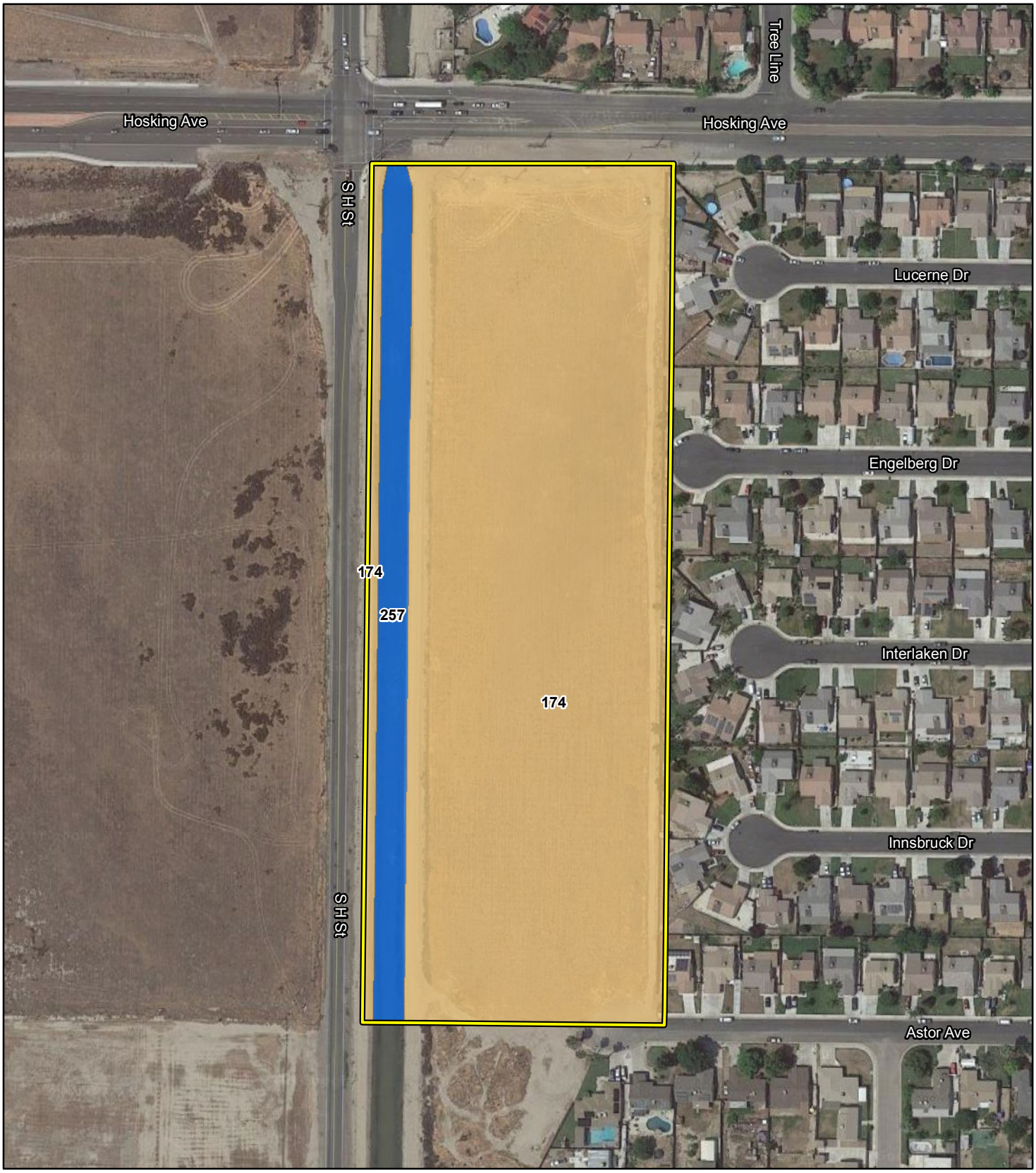
FEET

SOURCE: Google Aerial (~2017)

Hosking Avenue/South H Street Commercial Project

Vegetation Map

I:\DWL1901\GIS\MXD\VegetationMap.mxd (1/29/2019)



LSA

FIGURE 5

LEGEND

Project Site

Soil Type

174 - Kimberlina Fine Sandy Loam, 0 to 2 percent slopes MLRA 17

257 - Water

N

0 100 200

FEET

Hosking Avenue/South H Street Commercial Project

Soils Map

SOURCE: NRCS; Google Aerial (~2017)

I:\DWL1901\GIS\MXD\SoilsMap.mxd (1/29/2019)

APPENDIX B

REPRESENTATIVE SITE PHOTOS

Site overview showing disturbed and regularly maintained annual brome grassland. Photo taken facing south from the northernmost portion of the project site. January 22, 2019.

The northernmost portion of the project site is disturbed from off-highway vehicle use and is mostly barren. Photo taken facing west along Hosking Avenue, near the northeastern corner of the project site. January 22, 2019.




Active California ground squirrel burrows were observed throughout the site during the January 22, 2019 field survey.

LSA

APPENDIX B
(Sheet 2 of 3)

Hosking Avenue/South H Street Commercial Project

Site Photographs

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Site overview showing disturbed/barren areas and annual brome grassland. Photo taken facing north from the southeastern corner of the project site, west of the Kern Island Canal. January 22, 2019.

Kern Island Canal near the proposed bridge location along South H Street. Photo taken facing south near the northern portion of the project site. January 22, 2019.

APPENDIX C

SPECIAL-STATUS SPECIES IDENTIFIED AS POTENTIALLY OCCURING IN THE PROJECT VICINITY

Table C-1: Special-Status Plant Species Potentially Occurring in the Project Vicinity

Common Name	Scientific Name	Status	General Habitat Description	Flowering Period	Likelihood of Occurrence and Rationale
Horn's milk vetch	*Astragalus hornii* var. *hornii*	US: - CA: - CNPS: 1B:1 HCP: NC	Perennial herb considered a limestone endemic and dependent on fire. Typically associated with the fire-dependent chaparral habitat on limestone and on downwash sites. Elevation range is below 640 m.	March–July	**Not Expected.** There are historical records of occurrence in the project vicinity [1] (CNDDB 1945); however, suitable habitat does not occur in the project site.
Heartscale	*Atriplex cordulata var. cordulata*	US:- CA:- CNPS: 1B:2 HCP: NC	Annual herb occurring in chenopod scrub, meadows, seeps, valley/foothill grasslands in saline or alkaline soils between 0 and 650 m elevation. Found in Central Valley counties.	April-October	**Low probability of occurrence.** There are no known records of occurrence in the project vicinity and suitable habitat is limited in the project site; the maintained nature of the project site reduces the likelihood of occurrence.
Lost Hills crownscale	*Atriplex coronate* var. *vallicola*	US:- CA: - CNPS: 1B:2 HCP: NC	Annual herb occurring in chenopod scrub, valley/foothill grassland, and vernal pools in alkaline soils between 50 and 635 m in elevation. Found in Central Valley counties.	April-September	**Low probability of occurrence.** There are no known records of occurrence in the project vicinity and suitable habitat is limited in the project site; the maintained nature of the project site reduces the likelihood of occurrence.
Bakersfield smallscale	*Atriplex tularensis*	US:- CA:CE CNPS: 1A HCP: NC	Annual herb occurring in chenopod scrub between 90 and 200 m in elevation in Bakersfield.	June-October	**Not Expected.** There are historical records of occurrence in the project vicinity (CNDDB 1981); however, suitable habitat does not occur in the project site. Species is presumed extinct.
Alkali mariposa-lily	*Calochortus striatus*	US:- CA: - CNPS: 1B.2 HCP: C	Perennial bulbiferous herb associated with chaparral, chenopod scrub, Mojave desert scrub, and meadows between 70 and 1595 m in elevation. On alkaline/mesic soils. Lower Central Valley and Sequoia counties.	April- June	**Not Expected.** There are no known records of occurrence in the project vicinity and suitable habitat is absent in the project site.
California jewelflower	*Caulanthus californicus*	US: FE CA: CE CNPS: 1B.1 HCP: NC	Annual herb occurring in chenopod scrub, pinyon/juniper woodland, and valley/foothill grasslands on sandy soils between 61 and 1000 m elevation. Kern, Tulare, Fresno counties.	February-May	**Not Expected.** There are no known records of occurrence in the project vicinity and suitable habitat conditions are absent in the project site.

Table C-1: Special-Status Plant Species Potentially Occurring in the Project Vicinity

Common Name	Scientific Name	Status	General Habitat Description	Flowering Period	Likelihood of Occurrence and Rationale
Hispid salty bird's-beak	*Chloropyron molle* ssp. *hispidum*	US: - CA: - CNPS:1B.1 HCP: NC	Hemiparasitic annual herb occurring in meadows/seeps, playas, mesic valley/foothill grasslands on alkaline soils between 1 and 155 m in elevation. Bakersfield and Merced counties.	June-September	**Not Expected.** There are historical records of occurrence in the project vicinity (CNDDB 1946); however, suitable habitat does not occur in the project site.
Recurved larkspur	*Delphinium recurvatum*	US: - CA: - CNPS: 1B.2 HCP: C	Perennial herb occurring in chenopod scrub, cismontane woodland, and valley/foothill grasslands on alkaline soils. Central Valley counties.	March-June	**Not Expected.** There are no known records of occurrence in the project vicinity and suitable habitat is absent in the project site.
Calico monkeyflower	*Diplacus pictus*	US:- CA: - CNPS:1B.2 HCP: NC	Annual herb occurring in broadleaf upland forest and cismontane woodland on granitic soils or in disturbed areas between 100 and 1430 m in elevation. Kern and Tulare counties.	March- May	**Not Expected.** There are no known records of occurrence in the project vicinity and suitable habitat is absent in the project site.
Kern mallow	*Eremalche parryi* ssp. *kernensis*	US: FE CA: - CNPS: 1B.2 HCP: NC	Annual herb occurring in chenopod scrub, pinyon/juniper woodland, and valley/foothill grasslands between 70 and 1290 m in elevation on dry, open sandy to clay soils. Southern Central Valley counties.	January, March, April, May	**Low probability of occurrence.** There are no known records of occurrence in the project vicinity and the maintained nature of the project site reduces the likelihood of occurrence.
Tejon poppy	*Eschscholzia lemmonii ssp. kernensis*	US: - CA: - CNPS: 1B.1 HCP: NC	Annual herb occurring in chenopod scrub and valley/foothill grasslands between 160 and 1000 m in elevation. Kern and San Luis Obispo counties.	March-May	**Not Expected.** There are no known records of occurrence in the project vicinity and suitable habitat is absent in the project site.
California satintail	*Imperata brevifolia*	US: - CA: - CNPS: 2B.2 HCP: NC	Perennial rhizomatous herb occurring in chaparral, coastal scrub, Mojava desert scrub, meadows/seeps (often alkali), and riparian scrub on mesic soils between 0 and 1215 m in elevation. Isolated populations in Butte, Fresno, Imperial, Inyo, Kern, Orange, Los Angeles, and San Bernardino counties.	September-May	**Not Expected.** There are no known records of occurrence in the project vicinity and suitable habitat is absent in the project site.
Coulter's goldfields	*Lasthenia glabrata* ssp. *coulteri*	US: - CA: - CNPS: 1B.1 HCP: NC	Annual herb. Occurs in marshes and swamps, playas, and vernal pools.	February–June	**Not Expected.** There are no known records of occurrence in the project vicinity and suitable habitat is absent in the project site.

Table C-1: Special-Status Plant Species Potentially Occurring in the Project Vicinity

Common Name	Scientific Name	Status	General Habitat Description	Flowering Period	Likelihood of Occurrence and Rationale
Comanche Point layia	*Layia leucopappa*	US:- CA: - CNPS: 1B.1 HCP: NC	Annual herb occurring in chenopod scrub and valley/foothill grasslands between 100 and 350 m. Threatened by development and grazing. Kern county.	March-April	**Not Expected.** There are no known records of occurrence in the project vicinity and suitable habitat is absent in the project site.
San Joaquin woollythreads	*Monolopia congdonii*	US: FE CA: - CNPS: 1B.2 HCP: C	Annual herb found in chenopod scrub and valley/foothill grasslands in sandy soils between 60 and 800 m in elevation. Seriously threatened by agricultural conversion and development. Fresno, Kings, Kern, Tulare, and San Luis Obispo counties.	February-May	**Not Expected.** There are no known records of occurrence in the project vicinity and suitable habitat is absent in the project site.
Plute Mountains navarretia	*Navarretia setiloba*	US: - CA: - CNPS: 1B.1 HCP: NC	Annual herb found in cismontane woodland, pinyon/juniper woodland, and valley/foothill grasslands on clay or gravelly loam soils between 285 and 2100 m elevation. Kern, Tulare, Los Angeles counties.	April-July	**Not Expected.** There are no known records of occurrence in the project vicinity and suitable habitat is absent in the project site.
Bakersfield cactus	*Opuntia basilaris var. treleasei*	US: FE CA: CE CNPS: 1B.1 HCP: C	Perennial stem succulent found in chenopod scrub, cismontane woodland, and valley/foothill grasslands on sandy or gravelly soils between 120 and 1450 m in elevation. Kern and Los Angeles counties.	April-May	**Absent.** This perennial cactus species was not observed during the January 2019 field survey.
California alkali grass	*Puccinelila simplex*	US: - CA: - CNPS: 1B.1 HCP: NC	Annual herb occurring in chenopod scrub, meadows/seeps, valley/foothill grasslands, and vernal pools on alkaline, vernally mesic soils along lake margins, sinks, and flats between 2 and 930 m in elevation. Isolated populations throughout Central Valley counties.	March-May	**Not Expected.** There are no known records of occurrence in the project vicinity and suitable habitat is absent in the project site.
Oil neststraw	*Stylocline citroleum*	US: - CA: - CNPS: 1B.1 HCP: NC	Annuel herb occurring in chenopod scrub, coastal scrub, and valley/foothill grasslands in clay soils between 50 and 400 m in elevation. Kern and San Diego counties.	March-April	**Not Expected.** There are no known records of occurrence in the project vicinity and suitable habitat is absent in the project site.

Table C-1: Special-Status Plant Species Potentially Occurring in the Project Vicinity

Common Name	Scientific Name	Status	General Habitat Description	Flowering Period	Likelihood of Occurrence and Rationale
Mason's neststraw	*Stylocline masonii*	US:- CA: - CNPS: 1B.1 HCP: NC	Annual herb occurring in chenopod scrub and pinyon/juniper woodland on sandy soils between 100 and 1200 m in elevation. Kern, Los Angeles, Monterey, and San Luis Obispo counties.	March-May	**Not Expected.** There are no known records of occurrence in the project vicinity and suitable habitat is absent in the project site.
California screw moss	*Tortula californica*	US: - CA: - CNPS: 1B.2 HCP: NC	Moss occurring in chenopod scrub and valley/foothill grasslands on sandy soils between 10 and 1460 m in elevation. Isolated populations in Kern, Los Angeles, Monterey, Riverside, San Diego, and Ventura counties.	-	**Not Expected.** There are no known records of occurrence in the project vicinity and suitable habitat is absent in the project site.

[1]Project vicinity = Project site plus a 5 mile buffer
Status: Federal Endangered (FE), Federal Threatened (FT), Federal Candidate (FC), Federal Proposed (FP, FPE, FPT), Federal Delisted (FD), California Endangered (CE), California Threatened (CT), California Species of Special Concern (SSC), California Fully Protected Species (CFP), California Special Plant (CSP), California Special Animal (CSA)

California Native Plant Society Designations:
1B = Rare, threatened, or endangered in California and elsewhere
2B = Rare, threatened, or endangered in California, but not elsewhere
0.1 = seriously endangered
0.2 = fairly endangered

HCP= Metropolitan Bakersfield Habitat Conservation Plan
C= Covered species under the HCP
NC= Species not covered under the HCP
CA = California
CNPS = California Native Plant Society
CSS = coastal sage scrub
ft = foot/feet
m = meter/meters
mi = mile/miles
US = United States

Table C-2: Special-Status Animal Species Potentially Occurring or Known to Occur in the Project Vicinity

Common Name	Scientific Name	Status Listing	Habitat and Comments	Likelihood of Occurrence and Rationale
INVERTEBRATES				
Crotch bumble bee	*Bombus crotchii*	US:- CA:CSA HCP: NC	Occurs primarily in scrublands and grasslands in California and Baja California, nesting underground. Found in hotter and drier habitats than most bumblebees. Feeds on *Antirrhinum* ssp., *Phacelia* ssp., *Clarkia* ssp., *Dendromecon* ssp., *Eschscholzia* ssp., and *Eriogonum* ssp.	**Not expected.** There are no known records of occurrence in the project vicinity. No food species were observed in the project site.
Monarch butterfly (California overwintering population)	*Danaus plexippus*	US: - CA: CSA HCP: NC	Winter roost sites extend along the coast from northern Mendocino to Baja California, Mexico. Roosts located in wind-protected tree groves (e.g., eucalyptus, Monterey pine, cypress) with nectar and water sources nearby.	**Not Expected.** There are no known records of occurrence in the project vicinity and suitable habitat is absent in the project site.
Valley elderberry longhorn beetle	*Desmocerus californicus dimorphus*	US: FT CA:- HCP: NC	Requires elderberry trees, usually in riparian ecosystems, as host sources for breeding and forage.	**Not Expected.** There are no known records of occurrence in the project vicinity and suitable habitat is absent in the project site.
Moestan blister beetle	*Lytta molesta*	US:- CA:- HCP: NC	Requires flowering vernal pool vegetation for forage and nesting. Often found in large aggregations on plants near the nesting sites of bees, upon which they are parasitic and use as nest hosts. Central Valley counties.	**Not Expected.** There are no known records of occurrence in the project vicinity and suitable habitat is absent in the project site.
Morrison's blister beetle	*Lytta morrisoni*	US:- CA:- HCP: NC	Requires foraging and breeding sites with flowering plants. Often found in large aggregations on plants near the nesting sites of bees, upon which they are parasitic and use as nest hosts. Central Valley counties. *Gilia tricolor* and *Linanthus liniflorus* are known food plants.	**Not expected.** There are no known records of occurrence in the project vicinity. No known food species or bee nesting sites observed on the project site.
AMPHIBIANS				
Northern leopard frog	*Lithobates piplens*	US: - CA: SSC HCP: NC	Aquatic species occurring near permanent and semi-permanent water sources.	**Not Expected.** There are no known records of occurrence in the project vicinity and suitable habitat is absent in the project site.
Western spadefoot	*Spea hammondii*	US: - CA: SSC HCP: NC	Occurs primarily in grassland and other relatively open habitats. Found in elevations ranging from sea level to 4,500 ft. Requires temporary pools for breeding.	**Not Expected.** There are no known records of occurrence in the project vicinity and suitable habitat is absent in the project site.
REPTILES				
California legless lizard	*Anniella sp. 1*	US: - CA: SSC HCP: NC	Prefers cover in leaf litter or sandy soils under rocks or boards. Forages along the base of shrubs.	**Not expected.** There are historical records of occurrence in the vicinity of the project vicinity (CNDDB 1939); however, suitable habitat is absent in the project site.
Bakersfield legless lizard	*Anniella grinnelli*	US: - CA: SSC HCP: NC	Restricted to isolated sites in the southern San Joaquin Valley and the east side of the Carrizo Plain, including within the city limits of Bakersfield.	**Moderate probability of occurrence.** There are known records of occurrence in the general project vicinity, and there is some suitable habitat present in the project site.

Table C-2: Special-Status Animal Species Potentially Occurring or Known to Occur in the Project Vicinity

Common Name	Scientific Name	Status Listing	Habitat and Comments	Likelihood of Occurrence and Rationale
California glossy snake	*Arizona elegans occidentalis*	US:- CA:SSC HCP: NC	Occurs in low-elevation arid scrub, open woodland, grasslands, and chaparral slope habitats throughout the southwest and into Mexico. Dependent on diurnal lizards for major food source, small reptiles, birds, mammals also.	**Low probability of occurrence.** There are historical occurrence records in the project vicinity (CNDDB 1946), but suitable prey base is limited in the project site.
Blunt-nosed leopard lizard	*Gambella sila*	US: FE CA: CFP HCP: C	Prefers sparsely vegetated arid grasslands and brush/scrub where there are abundant rodent burrows. Rare or absent in dense vegetation or tall grass.	**Low probability of occurrence.** There are no known records of occurrence in the project vicinity and suitable habitat is largely absent in the project site. The project site is near the southern limit of the species' known range.
San Joaquin coachwhip	*Masticophis flagellum ruddocki*	US: - CA: SSC HCP: NC	Occurs in open arid lands including grasslands and saltbush scrub.	**Low probability of occurrence.** There are no known records of occurrence in the project vicinity and suitable habitat is largely absent in the project site. The project site is near the southern limit of the species' known range.
Coast horned lizard	*Phrynosoma blainvillii*	US: - CA: SSC HCP: NC	Occurs in coastal scrub, open chaparral, riparian woodland, and annual grassland habitats that support adequate prey species. Usually in sandy soil and ant colonies.	**Low probability of occurrence.** There are no known records of occurrence in the project vicinity and suitable habitat is largely absent in the project site. The project site is near the eastern limit of the species' known range.
BIRDS				
Tricolored blackbird	*Agelalus tricolor*	US:FC CA:SSC HCP: NC	Occurs in open country or marshes in large colonies mainly in CA Central Valley. Breeds in freshwater marshes with tall emergent vegetation, feeds on insects.	**Not Expected.** There are no known records of occurrence in the project vicinity and suitable habitat is absent in the project site.
Burrowing owl (burrow sites and some wintering sites)	*Athene cunicularia*	US: - CA: SSC HCP: C	Burrows in open, dry, annual or perennial grasslands, deserts, and scrublands characterized by low-growing vegetation. Subterranean nester, dependent upon burrowing mammals, most notably the California ground squirrel.	**Moderate probability of occurrence.** There are historical records of occurrence in the project vicinity (CNDDB 2006, 2007), and marginally suitable habitat is present in the project site. Several small mammal burrows were unoccupied during the January 2019 survey, and no owl sign was observed.
Swainson's hawk (nesting)	*Buteo swainsoni*	US: – CA: CT HCP: NC	Breeds in grasslands with scattered trees, juniper-sage flats, riparian areas, savannas, and agricultural/ranch lands. Requires adjacent suitable foraging areas such as grasslands, alfalfa, or grain fields supporting rodent populations.	**Low probability of occurrence.** Nesting Not Expected. There are no known records of occurrence in the project vicinity and suitable nesting habitat is absent in the project site. May occasionally forage in the project vicinity.
Western yellow-billed cuckoo	*Coccyzus erythropthalmus*	US:FT CA:CE HCP: NC	Dependent upon insects, lizards, snakes, rodents, and small birds. Requires extensive riparian thickets adjacent to water sources.	**Not Expected.** There are no known records of occurrence in the project vicinity and suitable habitat is absent in the project site.

Table C-2: Special-Status Animal Species Potentially Occurring or Known to Occur in the Project Vicinity

Common Name	Scientific Name	Status Listing	Habitat and Comments	Likelihood of Occurrence and Rationale
Fulvous whistling-duck	*Dendrocygna bicolor*	US: - CA: CSA HCP: NC	Preferred habitat is shallow lakes, paddy fields, or other wetlands with plentiful vegetation.	**Not Expected.** There are no known records of occurrence in the project vicinity and suitable habitat is absent in the project site.
White-tailed kite	*Elanus leucurus*	US: FP CA: CSA HCP: NC	Requires dense thickets of trees for nesting and is considered uncommon in urban settings. Rarely away from agriculture.	**Low probability of occurrence.** Nesting Not Expected. There are no known records of occurrence in the project vicinity and suitable nesting habitat is absent in the project site. May occasionally forage in the project vicinity.
California horned lark	*Eremophila alpestris actia*	US: - CA: CSA HCP: NC	Occurs in open grasslands, farmlands, prairies,airports, beaches, golf courses, cemeteries, and parks.	**Low probability of occurrence.** There are no known records of this subspecies in the project vicinity and the project site is south of the known current range of this subspecies. However, suitable horned lark habitat is present in the project site.
Yellow-headed blackbird	Xanthocephalus xanthocephalus	US:- CA:SSC HCP: NC	Known to inhabit marshes and riparian areas in the Central Valley.	**Not Expected.** There are no known records of occurrence in the project vicinity and suitable habitat is absent in the project site.
MAMMALS				
Nelson's antelope squirrel	*Ammospermophilus nelsoni*	US:- CA: CT HCP: C	Suitable habitat has widely scattered shrubs, annual forbs and grasses, and is distributed over broken terrain with small gullies and washes.	**Not Expected.** There are no known records of occurrence in the project vicinity and suitable habitat is absent in the project site.
Giant kangaroo rat	*Dipodomys ingens*	US: FE CA: CE HCP: NC	Inhabits open lands with sparse wood shrubs and low cover of annual grasses and forbs, alkali and saltbush scrublands.	**Low probability of occurrence.** There are no known records of occurrence in the project vicinity and suitable habitat is largely absent in the project site.
Short-nosed kangaroo rat	*Dipodomys nitratoides brevinasus*	US: - CA: SSC HCP: NC	Inhabits open lands with sparse wood shrubs and low cover of annual grasses and forbs, alkali and saltbush scrublands.	**Low probability of occurrence.** There are no known records of occurrence in the project vicinity and suitable habitat is largely absent in the project site.
Tipton kangaroo rat	*Dipodomys nitratoides nitratoides*	US: FE CA: CE HCP: C	Inhabits open lands with sparse wood shrubs and low cover of annual grasses and forbs, alkali and saltbush scrublands.	**Low probability of occurrence**. There are no known records of occurrence in the project vicinity and suitable habitat is largely absent in the project site.
Western mastiff bat	*Eumops perotis californicus*	US: - CA: SSC HCP: NC	Inhabits many open, semi-arid to arid habitats including conifer and deciduous woodlands, coastal scrub, grasslands, and chaparral communities. Roosts in crevices in cliff faces, high buildings, trees, and tunnels.	**Roosting Not Expected.** There are no known records of occurrence in the project vicinity and suitable roosting habitat is absent in the project site. Some suitable foraging habitat present in the project site.

Table C-2: Special-Status Animal Species Potentially Occurring or Known to Occur in the Project Vicinity

Common Name	Scientific Name	Status Listing	Habitat and Comments	Likelihood of Occurrence and Rationale
Hoary bat	*Lasiurus cinereus*	US: - CA: CSA HCP: NC	Prefers open habitats or habitat mosaics with access to trees for cover and open areas or habitat edges for feeding. Roosts in dense foliage of medium to large trees. Feeds primarily on moths. Requires water.	**Roosting Not Expected.** There are no known records of occurrence in the project vicinity and suitable roosting habitat is absent in the project site. Some suitable foraging habitat present in the project site.
Tulare grasshopper mouse	*Onychomys torridus tularensis*	US: - CA: SSC HCP: NC	Prefers open lands with sparse woody shrubs and low cover of annual grasses and forbs.	**Low probability of occurrence.** There are no known records of occurrence in the project vicinity and suitable habitat is limited in the project site.
San Joaquin pocket mouse	*Perognathus inornatus*	US: - CA: CSA HCP: NC	Found in open grasslands, savanna, and desert shrub. Most abundant in uncultivated areas with sandy washes and finely textured soils. Agriculture and urban development has displaced majority of viable habitat.	**Low probability of occurrence.** There are no known records of occurrence in the project vicinity and suitable habitat is largely absent in the project site.
Buena Vista Lake ornate shrew	*Sorex ornatus relictus*	US: FE CA: SSC HCP: C	Limited distribution in riparian habitat with moist microhabitats with low, dense vegetation.	**Not expected.** There are no known records of occurrence in the project vicinity and suitable habitat is absent in the project site.
American badger	*Taxidea taxus*	US: - CA: SSC HCP: NC	Most abundant in drier open stages of most shrub, forest, and herbaceous habitats with friable soils. Needs sufficient food, friable soils, and open, uncultivated ground. Preys on burrowing rodents. Digs burrows.	**Low probability of occurrence.** There are no known records of occurrence in the project vicinity, and suitable habitat and prey base are limited in the project site.
San Joaquin kit fox	*Vulpes macrotis mutica*	US: FE CA: ST HCP: C	Prefers open, level areas with loose-textured soils supporting scattered, shrubby vegetation with little human disturbance. Some agricultural areas may support these foxes.	**Moderate probability of occurrence.** There are historical records of occurrence in the project vicinity (CNDDB 1975, 2004, 2006, 2007). Known to forage and den in the project vicinity, although no records in the project site. Marginal denning habitat is present in the project site. Several small mammal burrows appeared to be unoccupied during the January 2019 survey, and no fox sign was observed.

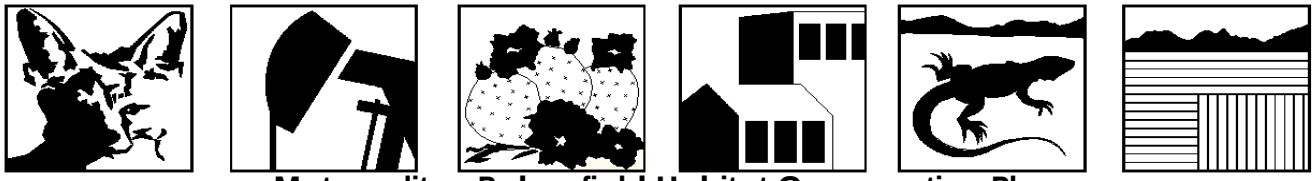
[1]Project vicinity = Project site plus a 5 mile buffer
Status: Federal Endangered (FE), Federal Threatened (FT), Federal Candidate (FC), Federal Proposed (FP, FPE, FPT), Federal Delisted (FD), California Endangered (CE), California Threatened (CT), California Species of Special Concern (SSC), California Fully Protected Species (CFP), California Special Animal (CSA)

HCP= Metropolitan Bakersfield Habitat Conservation Plan
C= Covered species under the HCP
NC= Species not covered under the HCP
CA = California

ft = foot/feet
m = meter/meters
mi = mile/miles
US = United States

APPENDIX D

METROPOLITAN BAKERSFIELD HABITAT CONSERVATION PLAN GROUND DISTURBANCE COMPLIANCE FORM



Metropolitan Bakersfield Habitat Conservation Plan

MBHCP GROUND-DISTURBANCE COMPLIANCE FORM

PROJECT or MAP NO._____ **GRADING PERMIT NO. (if applicable)** _____

CONTACT NAME _____ **PHONE NO.** _____

SITE ADDRESS (or general location) _____

PROJECT TYPE/DESCRIPTION _____

THE FOLLOWING IS REQUIRED FOR ALL GROUND-DISTURBANCE ACTIVITIES:

1. A Biological Clearance Survey is required on all projects no more than 30 days prior to grading or other ground-disturbance activities by a Qualified Biologist (see Exhibit A). The Survey Area includes: 1) all areas to be permanently (e.g., buildings, hardscapes, landscape, etc.) and temporarily (e.g., staging areas, utility undergrounding footprints, etc.) disturbed as well as 2) a 50-foot buffer of both the permanent and temporary disturbance areas. If ground disturbance ceases for over 30 days or has occurred for more than one year and the month is January, then an additional Biological Clearance Survey is required.

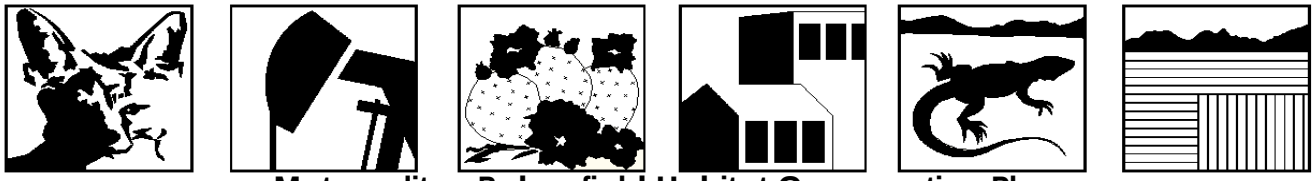
2. The Qualified Biologist shall map the Survey Area onto the grading plan or other ground-disturbance plan, and include the map in the Biological Clearance Survey Report. The Survey Area Map shall include: 1) total gross acres of disturbance, 2) bearings and distances, 3) extent of permanent and temporary ground disturbance, and 4) extent of Survey Area.

3. If survey results find Covered Species (see Exhibit B) within the Survey Area, a written Notice of Grading Start is required at least five business days prior to any ground-disturbance activities (excludes weekends and holidays) (see Exhibit C). The Notice of Grading Start shall only be submitted AFTER all required minimization measures are implemented (see Exhibit D).

4. The Qualified Biologist shall email the Biological Clearance Survey Report to the proper agencies. The Survey Report shall include: 1) Survey Area Map and 2) signed Biological Clearance Statement. Please save or print your email as proof of notification.

Ctrl + Click to: EMAIL TO THESE AGENCIES
EMAIL SUBJECT LINE: "MBHCP CLEARANCE SURVEY - GRADING PERMIT NO. _____" OR "MBHCP CLEARANCE SURVEY – PROJECT OR MAP NO. _____"

City of Bakersfield	MBHCP Staff Phone (661) 326-3733 Fax (661) 852-2136	MBHCPsurvey@bakersfieldcity.us
U.S. Fish and Wildlife Service	Patricia Cole and Justin Sloan Phone (916) 414-6600 Fax (916) 414-6712	patricia_cole@fws.gov justin_sloan@fws.gov
California Department of Fish and Wildlife	Abi Leon, John Battistoni, and Janice Yoshioka Phone (559) 243-4014 ext. 247 Fax (559) 243-4020	Abimael.Leon@wildlife.ca.gov John.Battistoni@wildlife.ca.gov Janice.Yoshioka@wildlife.ca.gov



Metropolitan Bakersfield Habitat Conservation Plan

The Biological Clearance Statement shall be found on the cover page of the Biological Clearance Survey Report and signed and dated by the Qualified Biologist. It shall read:

> *I certify under penalty of law, based on information and belief formed after reasonable inquiry, that the submitted documents accurately depict the proposed Biological Clearance Survey Area, and that the statements contained herein are true, accurate, and complete.*

A colored, hard copy of the Biological Clearance Survey Report shall also be submitted when filing this Compliance Form to City of Bakersfield, Community Development Department, Attn: Wayne Lawson or Karl Davisson, 1715 Chester Avenue, Bakersfield, CA 93301.

5. Please check the following that applies to your project and provide payment of Habitat Mitigation Fee (if not exempt) (see Exhibit E) when filing this MBHCP Compliance Form:

❑ **Habitat Mitigation Fee (currently $2,145.00 per gross acre)**
Gross acreage (all disturbed areas) = _____ acres
HCP Fees Due = $ _____ Staff Initials _____ Date Paid _____
❑ Project is exempt from Habitat Mitigation Fees (attach Exhibit E)
❑ Required fees previously paid (Habitat Mitigation Fees) are NOT due (attach proof of payment and map and acreage of previously-paid permanent disturbance area)

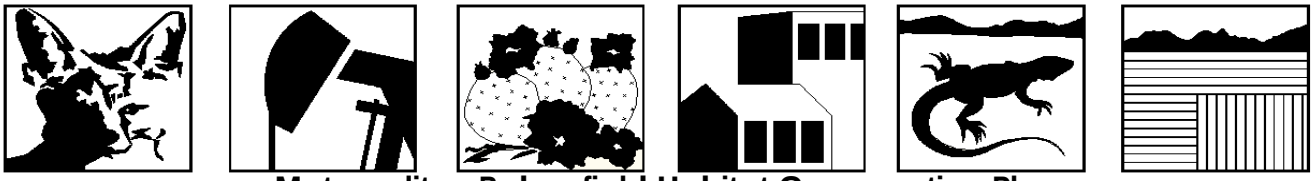
Note: Only gross acreage that is permanently disturbed shall pay the Habitat Mitigation Fee. Temporary disturbance areas shall be included in the Biological Clearance Survey, but do not pay the Habitat Mitigation Fee. If a project site is less than or equal to 2.5 acres, then the Habitat Mitigation Fee shall apply to the entire gross-acreage of the site regardless of disturbance area.

6. During construction, the developer shall implement all standard and required Covered Species Protection Measures (see Exhibit F).

The City has the authority to immediately stop any activity that does not comply with the MBHCP, impose penalties, and require additional measures to avoid the unauthorized take of Covered Species.

ACKNOWLEDGMENT: In consequence of the City/County having complied with the terms of the Section 10(a)(l)(B) Permit issued pursuant to the Federal Endangered Species Act and the Section 2081 Permit issued pursuant to the California Endangered Species Act, and the City and County having issued the Urban Development Permit, the Urban Development Permit holder, its successors, assignees and agents acting as beneficiaries of the Metropolitan Bakersfield Habitat Conservation Plan Implementation Management Agreement and ITP No. 2081-2013-058-04 are permitted to construct, operate and maintain the project identified above, which may result in a legally permitted take of State Protected Species and Federally Protected Species which are listed in the City's and County's Section 10(a)(l)(B) and 2081 Permits. The take authorization applies only to activities on the parcels which are carried out in full compliance of the 10(a)(l)(B) and 2081 Permit Conditions, including the City/County complying with the cumulative mitigation requirements of Section 3.1.8 of Metropolitan Bakersfield Habitat Conservation Plan Implementation/Management Agreement and ITP No. 2081-2013-058-04. (This acknowledgement is in accordance with MBHCP Implementation/Management Agreement Sections 3.13 and 3.1.4).

STAFF: _____ **DATE COMPLETED:** _____



Metropolitan Bakersfield Habitat Conservation Plan

EXHIBIT A
QUALIFIED BIOLOGISTS PRE-APPROVED BY CDFW

This list is not intended to be an endorsement by the City of Bakersfield of any person or company appearing or not appearing on the list.

NAME	ADDRESS	CONTACT INFORMATION	APPROVED ACTIVITIES
Brian Berry	Berry Environmental Consulting 5300 Dunsmuir Rd., Apt. 13 Bakersfield, CA 93309	(661) 477-0735 brianberry.bec@gmail.com	A,B,D
Russell Sweet	Dudek 1801 Oak St., Ste. 165 Bakersfield, CA 93301	(661) 369-5742 rsweet@dudek.com	A
Dawn Bradley	GlassPoint Solar, Inc.	(661) 282-0527 dawn.bradley@glasspoint.com	A,B
Alexandra Thiel	H.T. Harvey & Associates 7815 N. Palm Ave., Ste. 310 Fresno, CA 93711	(559) 476-3160 athiel@harveyecology.com	A
Colin Wilkinson	H.T. Harvey & Associates	(559) 476-3182 cwilkinson@harveyecology.com	A,B,D
Jacquelyn Maher	H.T. Harvey & Associates	(559) 476-3160 jmaher@harveyecology.com	A,D
Monica Hemenez	H.T. Harvey & Associates	(559) 476-3160 mhemenez@harveyecology.com	A
Patrick Scott	H.T. Harvey & Associates	(714) 362-6667 pscott@harveyecology.com	A
Robyn Powers	H.T. Harvey & Associates	(805) 756-7423 rpowers@harveyecology.com	A
Emily Bradford	Kern County Public Works Department 2700 "M" Street, Suite 400 Bakersfield, California 93301	Office: (661) 862-8955 Mobile: (661) 703-2194 bradforde@kerncounty.com	A
Randi McCormick	McCormick Biological, Inc. 3600 Pegasus Dr., Ste. 12, Bakersfield, CA 93308	(661) 343-1078 randi@mccormickbiologicalinc.com	A
Sabrina Alaniz	McCormick Biological, Inc.	(661) 706-0130 sabrina@mccormickbiologicalinc.com	A,B,D
Erika Noel	McCormick Biological, Inc.	(661) 809-7225 erika@mccormickbiologicalinc.com	A
Jared Pratt	McCormick Biological, Inc.	(661) 619-7894 jared@mccormickbiologicalinc.com	A,D
Steven Pruett	McCormick Biological, Inc.	(661) 421-0006 steve@mccormickbiologicalinc.com	A,B,C,D
Ashleigh Pryor	McCormick Biological, Inc.	(661) 319-0209 ashleigh@mccormickbiologicalinc.com	A,B,D
Waring Laurendine	McCormick Biological, Inc.	(661) 889-2084	A,B,D

NAME	ADDRESS	CONTACT INFORMATION	APPROVED ACTIVITIES
		waring@mccormickbiologicalinc.com	
Thomas Malley	McCormick Biological, Inc.	(661) 304-1023 tom@mccormickbiologicalinc.com	A
Blaine Grant	McCormick Biological, Inc.	(661) 868-9717 blaine@mccormickbiologicalinc.com	A
Spencer Pruett	McCormick Biological, Inc.	(661) 330-3652 spencer@mccormickbiologicalinc.com	A
Donna Noce	McCormick Biological, Inc.	(661) 331-0990 donna@mccormickbiologicalinc.com	A,B,D
Adam Grimes	McFaddin Endangered Species Assessments 9530 Hageman Rd., Ste. B Bakersfield, CA 93312	(661) 330-9038 staffbio@mesabio.com	A,B,C,D
Joe McFaddin	McFaddin Endangered Species Assessments	(661) 330-9038 staffbio@mesabio.com	A,B,C,D
Trace Crenshaw	McFaddin Endangered Species Assessments	(661) 330-9038 staffbio@mesabio.com	A
Marcia Wolfe	M.H. Wolfe and Associates P.O. Box 10254 Bakersfield, CA 93389	(661) 837-1169 mwolfe@mhwolfeassoc.com	A,B,C,D
Andy Krause	Padre Associates, Inc. 3500 Coffee Rd., Ste. B, Bakersfield, CA 93308	Office: (661) 829-2686 ext. 302 Mobile: (661) 747-1753, akrause@padreinc.com,	A,B
Brooke Stutz	Padre Associates, Inc.	(661) 829-2686 ext. 304 bstutz@padreinc.com	A,B,D
Angel Correa	Padre Associates, Inc.	(661) 829-2686 ext. 303 acorrea@padreinc.com	A,B,C,D
Belen Perez	Plains All-American GP LLC 3600 Bowman Ct. Bakersfield, CA 93308	Office: (661) 336-7913 Mobile: (661) 204-0403 bdperez@paalp.com	A,B,D
Curtis Uptain	QK Inc. 5080 California Ave., Ste. 220 Bakersfield, CA 93309	(661) 616-2600 curtis.uptain@qkinc.com	A,B,D
Dave Dayton	QK Inc.	(661) 616-2600 dave.dayton@qkinc.com	A,D
Karissa Denney	QK Inc.	(661) 616-2600 karissa.denney@qkinc.com	A,D
Eric Madueno	QK Inc.	(661) 616-2600 eric.madueno@qkinc.com	A,B
Carie Wingert	Rincon Consultants, Inc. 1530 Monterey St., Ste. D San Luis Obispo, CA 93401	(805) 547-0900 info@rinconconsultants.com	A,B
Eric Schaad	Rincon Consultants, Inc. 449 15th St., Ste. 303 Oakland, California 94612	(510) 834-4455 eschaad@rincon.com	A
Ben Ruiz	SWCA Environmental Consultants 1422 Monterey St., Ste. C200 San Luis Obispo, CA 93401	(805) 543-7095 bruiz@swca.com	A,B,D
Allison Locatell	SWCA Environmental	(817) 394-6506	A,B

NAME	ADDRESS	CONTACT INFORMATION	APPROVED ACTIVITIES
	Consultants 2201 Brookhollow Plaza Drive, Suite 400 Arlington, TX 76006	Allison.locatell@swca.com	
Maria Myers	West Kern Environmental Consulting, LLC P.O. Box 478 Buttonwillow, CA 93206	(661) 805-6991 mariamyers@westkern.net	A,B,D
Adriana Jaramillo	West Kern Environmental Consulting, LLC	(661) 428-2177 adrianajaramillo@westkern.net	A,B,D
Colton Parrish	West Kern Environmental Consulting, LLC	(661) 428-5827 Cparrish661@hotmail.com	A,B,D
William Vanherweg	1020 O'Connor Wy. San Luis Obispo, Ca 93405	(805) 839-0375 bvan53@gmail.com	A,B,D
Geoffrey Cline	11050 Pioneer Trail, Ste. 203 Truckee, CA 96161	Office: (530) 214-8947 Mobile: (530) 448-7114 gcline@loainc.com	B
Matthew Perry	3600 Bowman Ct. Bakersfield, CA 93308	Office: (661) 336-7913 Mobile: (661) 331-2026, MSPerry@paalp.com	A,B,D
Rick Perry	Unknown	Unknown	A,B,C,D
Alli Rhodehamel-Leung	Unknown	Unknown	A
Aaron Aguilera	Unknown	Unknown	A
JayAnna Miller	Unknown	Unknown	A

A. Approved to conduct a Biological Clearance Survey and mitigation activities for San Joaquin kit fox.
B. Tipton Kangaroo rat biologist approved to conduct TKR trapping and salvage activities.
C. Bakersfield Cactus botanist approved to conduct Bakersfield Cactus translocation.
D. San Joaquin antelope squirrel biologist approved to conduct mitigation activities.

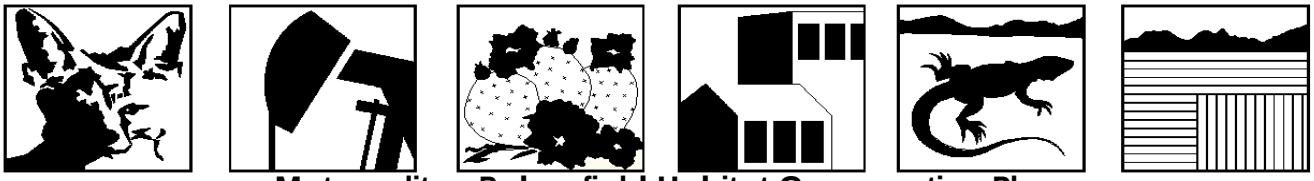
EXHIBIT B
COVERED SPECIES

TIPTON
KANGAROO RAT

SAN JOAQUIN
ANTELOPE
SQUIRREL

SAN JOAQUIN KIT
FOX

BAKERSFIELD
CACTUS



Metropolitan Bakersfield Habitat Conservation Plan

EXHIBIT C
NOTICE OF GRADING START

Pursuant to the General Provisions and Mitigation Measures of the MBHCP and Incidental Take Permit (No. 2081-2013-058-04)

NOTICE IS HEREBY provided that on or after (date)_____, the project identified below will be graded. In accordance with the provisions of the MBHCP and Incidental Take Permit, this project was identified as having the potential to impact known Covered Species (Tipton kangaroo rat, San Joaquin kit fox, San Joaquin antelope squirrel, and/or Bakersfield cactus). Attached to this notice is a map of Survey Area, a copy of the Biological Clearance Survey Report, and written information to demonstrate compliance with required minimization measures.

PROJECT or MAP NO._____**GRADING PERMIT NO. (if applicable)** _____

PROJECT LOCATION (address and major cross streets) _____

DEVELOPER NAME _____

ADDRESS _____

PHONE_____**EMAIL (if applicable)** _____

QUALIFIED BIOLOGIST _____

NOTICE MUST BE EMAILED TO FOLLOWING AGENCIES AT LEAST FIVE BUSINESS DAYS (EXCLUDES WEEKENDS AND HOLIDAYS) PRIOR TO GRADING.

Ctrl + Click to: **EMAIL TO THESE AGENCIES**

EMAIL SUBJECT LINE: "MBHCP CLEARANCE SURVEY - GRADING PERMIT NO. _____" OR "MBHCP CLEARANCE SURVEY – PROJECT OR MAP NO. _____"

City of Bakersfield	MBHCP Staff Phone (661) 326-3733 Fax (661) 852-2136	MBHCPsurvey@bakersfieldcity.us
U.S. Fish and Wildlife Service	Patricia Cole and Justin Sloan Phone (916) 414-6600 Fax (916) 414-6712	patricia_cole@fws.gov justin_sloan@fws.gov
California Department of Fish and Wildlife	Abi Leon, John Battistoni, and Janice Yoshioka Phone (559) 243-4014 ext. 247 Fax (559) 243-4020	Abimael.Leon@wildlife.ca.gov John.Battistoni@wildlife.ca.gov Janice.Yoshioka@wildlife.ca.gov

Note: Please save or print your email as proof of notification.

EXHIBIT D
COVERED SPECIES MINIMIZATION MEASURES

Note: "Covered Activities" include any activities for which an urban development permit (e.g., grading permit) results in urban development. Urban development means a change in land use from open land to any other land use for which a permit such as a grading permit is required by the City of Bakersfield, including, but not limited to, the construction of buildings, roads, hardscapes, landscaping, curbs and gutters, parking lots, etc. The term does not include change in open land to agricultural or oil production except for associated ancillary facilities for which the City exercises discretionary authority over the issuance of permits or approvals.

If the Biological Clearance Survey results determine that the Survey Area has…

…a known, active, or natal San Joaquin kit fox den.

The following minimization measures must be implemented:

7.5. San Joaquin kit fox (SJKF) Den Avoidance

The developer must demonstrate that they established a permanent minimum buffer using fencing or flagging as follows:

1. At least 100 feet around den(s);
2. At least 200 feet around natal dens (which SJKF young are reared); and
3. At least 500 feet around any natal dens with pups (except for any portions of the buffer zone that are already fully developed).

Buffer zones shall be considered Environmentally Sensitive Areas, and no Covered Activities are allowed within a buffer except per Condition of Approval 7.6., and as follows: If the work within the buffer area will not result in the destruction of the den, the den should be conserved. If the den is unoccupied (based on the required four consecutive days of monitoring), then the den can be covered in a secure manner to prevent access by SJKF while the work is being conducted. After the work is done, the den can be uncovered to allow use by SJKF. If the den is occupied and the SJKF don't want to leave, then a smaller buffer could be established, including a barricade to prevent the SJKF from exiting the den and entering the work site. A qualified biologist shall monitor the den while the work is being conducted. Notify the City immediately via telephone or e-mail if any SJKF active dens, natal dens, or occupied atypical dens are discovered within or immediately adjacent to any proposed development footprint. Each developer shall bear the costs of implementing the SJKF den avoidance requirements. A reduced SJKF avoidance buffer may be authorized with written approval by the California Department of Fish and Wildlife (CDFW).

7.6. SJKF Den Excavation

For active dens and potential dens that exhibit signs of SJKF use or characteristics suggestive of SJKF dens (including dens in natural substrate and in/under man-made structures) that cannot be avoided as per

Condition of Approval 7.5, and if, after four consecutive days of monitoring with tracking medium or infrared camera, a Qualified Biologist has determined that SJKF is not currently present, the den may be excavated. Natal dens shall not be excavated until the pups and adults have vacated and then only after consultation with the U.S. Fish and Wildlife Service (USFWS) and CDFW. If the excavation process reveals evidence of current use by SJKF, then den excavation shall cease immediately and tracking or camera monitoring, as described above, shall be conducted/resumed. Excavation of the den may be completed when, in the judgment of a Qualified Biologist, the SJKF has escaped from the partially excavated den. SJKF dens shall be carefully excavated until it is certain no SJKF individuals are inside. Dens shall be fully excavated, filled with dirt, and compacted to ensure that SJKF cannot reenter or use the den during Covered Activities. If an individual SJKF does not vacate a den within the proposed construction footprint within a reasonable timeframe, the developer shall contact USFWS and CDFW and get written guidance (email will suffice) from both agencies prior to proceeding with den excavation. Each developer shall bear the costs of implementing the SJKF den excavation requirements.

…Kangaroo rat burrows (Conceptual Southwest Focus Area only).

The following minimization measures must be implemented:

7.8. Tipton kangaroo rat (TKR) Trapping and Salvage

If the Biological Clearance Survey identifies TKR burrows within the proposed construction footprint of proposed developer projects within the "Conceptual Southwest Focus Area" as shown on attached map, the City shall not issue a permit until a Qualified Biologist conducts a minimum of five consecutive nights of live small mammal trapping, with high trap densities focused at and around TKR burrows, runways, seed caches, and dust baths. How and where captured animals will be held and the final release location and specifics shall be in accordance a CDFW-approved TKR Relocation Plan. The developer for which the Biological Clearance Survey was conducted shall bear the costs of TKR trapping, salvage, and relocation.

7.9. TKR Burrow Excavation

Following live trapping activities conducted, any potential TKR burrows (e.g., any kangaroo rat burrows) present within the development footprint shall be fully excavated by hand by the Qualified Biologist. The Qualified Biologist shall relocate any TKR encountered in the excavated burrows to the release site(s) identified in the CDFW-approved TKR Relocation Plan. The Qualified Biologist shall also collect and move dormant or torpid TKR encountered to an artificial burrow installed at the release site(s) identified in the CDFW-approved TKR Relocation Plan.

7.10. TKR Record of Handling

Qualified Biologist(s) shall maintain a record of all TKR handled. This information shall include for each animal:

1. The locations (Global Positioning System (GPS) coordinates and maps) and time of capture and/or observation as well as release;
2. Sex;
3. Approximate age (adult/juvenile);
4. Weight;
5. General condition and health, noting all visible conditions including gait and behavior, diarrhea, emaciation, salivation, hair loss, ectoparasites, and injuries; and
6. Ambient temperature when handled and released.

A Relocation Summary shall be prepared by the Qualified Biologist and submitted by the developer to the City and CDFW as part of the information accompanying the "Notice of Grading Start."

...one or more Bakersfield cactus clumps and/or plants.

The following minimization measures must be implemented:

7.11. Bakersfield Cactus Avoidance

If the Biological Clearance Survey prepared identifies Bakersfield cactus within the proposed construction footprint of a proposed developer project, the City shall not issue a permit until the developer demonstrates that all Bakersfield cacti shall be avoided by a minimum of 25 feet, unless Condition of Approval 7.13 is implemented. This avoidance distance may be lessened on a specific case-by-case basis if CDFW concurs in writing that a modified distance proposed by a Qualified Biologist is sufficient to avoid direct or indirect take of Bakersfield cactus.

7.12. Bakersfield Cactus Avoidance Fencing

Sturdy, highly visible, plastic construction avoidance fencing (or comparable fencing approved in writing by the CDFW Regional Representative) shall be installed around Bakersfield cactus avoidance areas (Condition of Approval 7.11) and located in accordance with direction from the Qualified Biologist. Fencing shall be securely staked and installed in a durable manner that would be reasonably expected to withstand wind and weather events and last at least through the construction period. Fencing shall be inspected at least twice weekly during the construction period. Fencing shall be removed upon completion of construction of the developer project.

7.13. Bakersfield Cactus Translocation

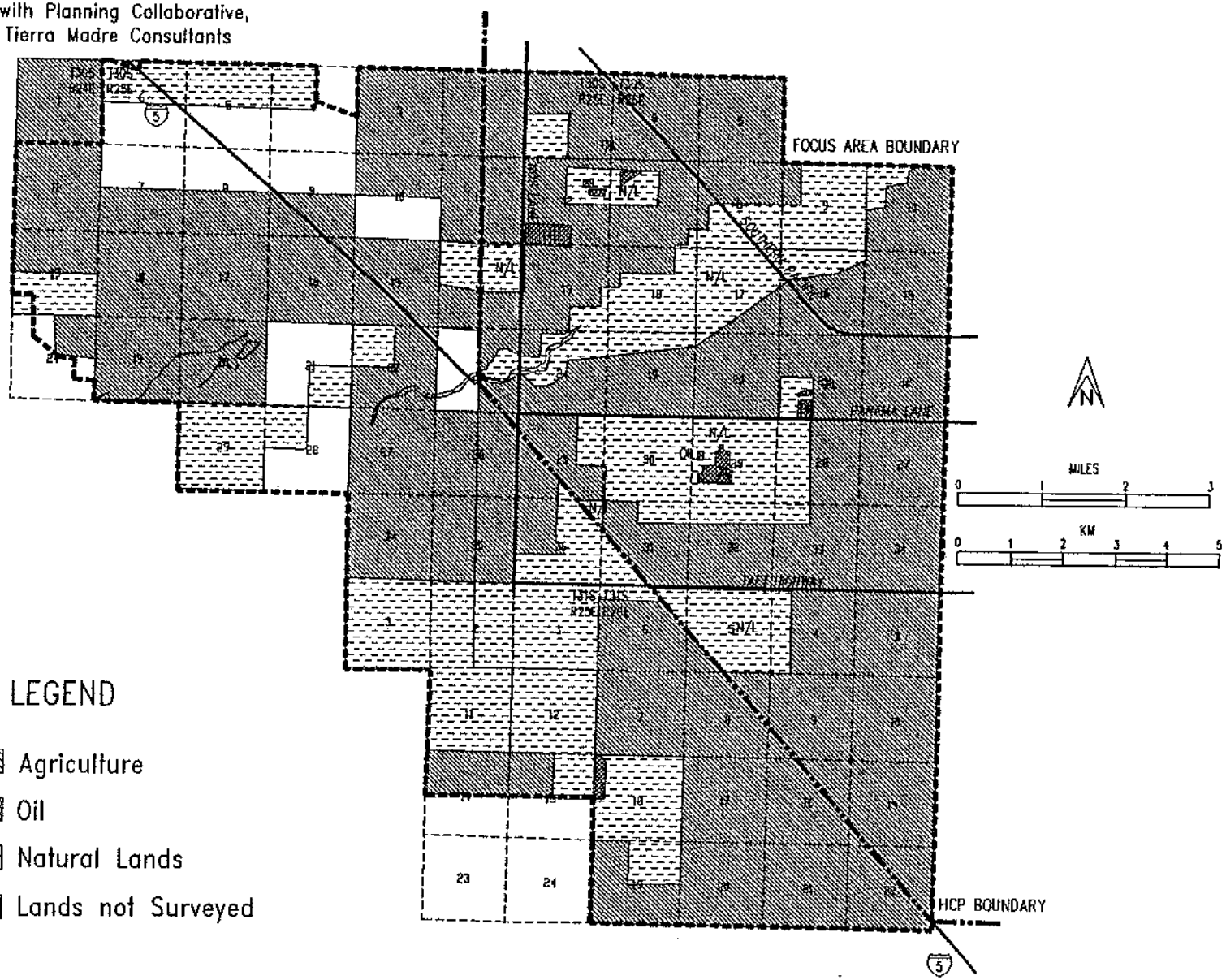
The Qualified Biologist shall translocate Bakersfield cactus, which cannot be avoided by construction activities in accordance with Condition of Approval 7.11, to the nearest suitable habitat specifically identified in the Bakersfield Cactus Translocation Plan prior to disturbance of any Bakersfield cacti. Translocated cacti shall be planted in habitat that the City has proven to be suitable for Bakersfield cactus by demonstrating that Bakersfield cactus occurs naturally at the same general location and the plantable area has suitable soils, vegetation, and other aspects to support a self-sustaining population of Bakersfield cactus. The density of plantings shall not exceed densities that occur naturally in the vicinity of the Project. Pads shall be taken from the translocated clumps of cacti and planted in the receiver sites to increase the number of plants.

All required minimization measures must be implemented before a five-day "Notice of Grading Start" (see Exhibit C) can be submitted to the wildlife agencies.

METROPOLITAN BAKERSFIELD HABITAT CONSERVATION PLAN

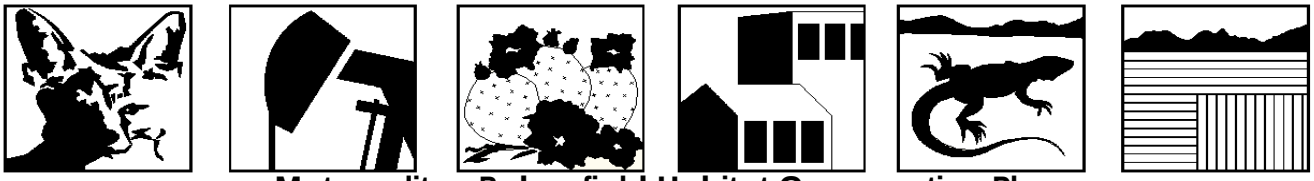
Thomas Reid Associates with Planning Collaborative, Quad Consultants, and Tierra Madre Consultants

SOUTHWEST – LAND USE



Sources: Aerial Photos Feb. 1988 and Field Surveys 1988.

FIGURE 18 -- SOUTHWEST LAND USE



Metropolitan Bakersfield Habitat Conservation Plan

EXHIBIT E
HABITAT MITIGATION FEE EXEMPTION

PROJECT or MAP NO._____ **GRADING PERMIT NO. (if applicable)** _____

PROJECT LOCATION (address and major cross streets) _____

DEVELOPER NAME _____

ADDRESS _____

PHONE_____ **EMAIL (if applicable)** _____

QUALIFIED BIOLOGIST _____

Per City of Bakersfield Ordinance No. 3556 and Chapter 15.78.030 of the Bakersfield Municipal Code, the activity is exempt from paying the Habitat Mitigation Fee because it is:

❑ An addition, remodel, or reconstruction totaling not more than a 50% increase from the square footage of pre-existing development

❑ A mobile home replacement

❑ Oil and gas production and extraction, including accessory or incidental structures and improvements

❑ Commercial agricultural practices, uses and structures, including, but not limited to, tillage, cultivation, grading, ditching, storage, stacking, barns, equipment buildings, and agricultural housing

❑ Development of any parcel for which the United States Fish and Wildlife Service and California Department of Fish and Game has approved other mitigation procedures through issuance of 2081 and 10(a)(l)(B) permits constituting full mitigation

❑ A local public projects less than 10 acres in size undertaken for strictly public purposes and incidental to urban growth

❑ Demolition

STAFF: _____ **DATE COMPLETED:** _____

EXHIBIT F
SPECIES PROTECTION MEASURES DURING CONSTRUCTION

Daily Entrapment Inspections

The developer shall inspect all open holes, sumps, and trenches within the development footprint at the beginning, middle, and end of each day for trapped Covered Species. All trenches, holes, sumps, and other excavations with sidewalls steeper than a 1:1 (45 degree) slope and that are between two- and eight-feet deep shall be covered when workers or equipment are not actively working in the excavation, which includes cessation of work overnight, or shall have an escape ramp of earth or a non-slip material with a less than 1:1 (45 degree) slope.

All trenches, holes, and other excavations with sidewalls steeper than a 1:1 (45 degree) slope and greater than eight feet deep shall be covered when workers or equipment are not actively working in the excavation and at the end of each work day. Trenches, holes, sumps, or other excavations that are covered long term shall be inspected at the beginning of each working day to ensure inadvertent entrapment has not occurred. If any worker discovers that Covered Species have become trapped, the developer and their workers shall cease all Covered Activities in the vicinity and notify the City of Bakersfield immediately, whom shall in turn notify California Department of Fish and Wildlife (CDFW) immediately.

The developer shall allow the Covered Species to escape unimpeded if possible before construction/grading activities are allowed to continue, or, alternatively, a Qualified Biologist shall capture and relocate the animal, in accordance with CDFW direction regarding the final disposition of the animal. The developer for which the Biological Clearance Survey was conducted shall bear the costs of Covered Species salvage.

Materials Inspection

The developer shall thoroughly inspect for Covered Species in all construction pipe, culverts, or similar structures with a diameter of 7.6 centimeters (three inches) or greater that are stored for one or more overnight periods before the structure is subsequently moved, buried, or capped. If during inspection one of these animals is discovered inside the structure, workers shall notify the City and allow the Covered Species to safely escape that section of the structure before moving and utilizing the structure.

Equipment Inspection

The developer shall inspect for Covered Species under vehicles and equipment before the vehicles and equipment are moved. If a Covered Species is present, the worker shall wait for the Covered Species to move unimpeded to a safe location. Alternatively, the developer shall contact a Qualified Biologist to determine if they can safely move the Covered Species out of harm's way.

SJKF Detection on Construction Site

Notification to the City and CDFW is required within 24 hours in the event that a SJKF is observed denning or utilizing structures or materials within an active construction footprint. In addition, a minimum 100-foot

no disturbance buffer from the area being used by SJKF as a denning site shall be implemented excavation measures can be implemented by a Qualified Biologist funded by the developer.

Covered Species Injury

If a Covered Species is injured as a result of Project-related activities, a Qualified Biologist shall immediately take it to CDFW-approved wildlife rehabilitation or veterinary facility that routinely evaluates and treats the injured Covered Species. Facilities in the Bakersfield area include:

California Living Museum (CALM)
10500 Alfred Harrell Hwy, Bakersfield, CA 93306
(661) 872-2256

The developer shall bear any costs associated with the care or treatment of such injured Covered Species. The developer shall notify the City as soon as possible and the notification shall include the date, time, location, and circumstances of the incident and the name of the facility where the animal was taken.